

CITY OF NORFOLK



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

All personnel administrative policies are currently under review
and the Personnel Administrative Policies Manual is under revision.

Document revision date: 02/06/2012



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
1.0**

**Date Issued
1 January 2004**

**Subject:
PURPOSE**

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PURPOSE



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
1.1**

**Date Issued
1 January 2004**

**Subject:
PURPOSE**

1.1 PURPOSE

This manual has been prepared to provide guidance to employees on the City of Norfolk's policies and procedures. It is not intended to form and is not a contract between the City and any of its employees. The manual describes personnel policies and procedures in effect as of the time the respective pages on which they appear were inserted, but all or any part of the manual may be modified or altered unilaterally by the City at any time.

The manual is designed to incorporate as many as possible practices and procedures that relate to the employees of the City of Norfolk. It will be revised and additional pages and materials added as they are needed. Policies currently posted in this online manual supersede all previously circulated materials similar in nature. To the extent that policies on topics in the Employees Policies and Procedures Manual are not covered in this online manual, the former policies continue in effect.

It is important to keep in mind that many provisions contained in this manual are governed by particular ordinances or sections of the City Charter, City Code, or Virginia Code. In most instances, these ordinances or sections have been noted. In the event of any conflict between the contents of this manual and the provisions of any pertinent law, the then-current applicable law shall be controlling.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
2.0**

**Date Issued
1 January 2004**

**Subject:
CITY
ORGANIZATION**

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CITY ORGANIZATION



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
2.1**

**Date Issued
1 January 2004**

**Subject:
CITY
ORGANIZATION**

2.1 CITY ORGANIZATION

The City of Norfolk is organized under the Council-Manager form of local government. Citizens elect the eight-member City Council, including the Mayor. The Council in turn, elects one of its members as the Vice-Mayor of the Council. The Mayor acts as an official representative of the City for a variety of activities and occasions.

The City Council appoints a City Manager who serves as the chief administrative officer of the City. The City Manager oversees the execution of the various laws, resolutions, and orders adopted and directed by City Council. The City Manager also supervises City departments, which are responsible for planning and executive management of City services; implementing policies of the City Council; developing and controlling the execution of the budget and developing recommendations and reports to assist the City Council in decision-making.

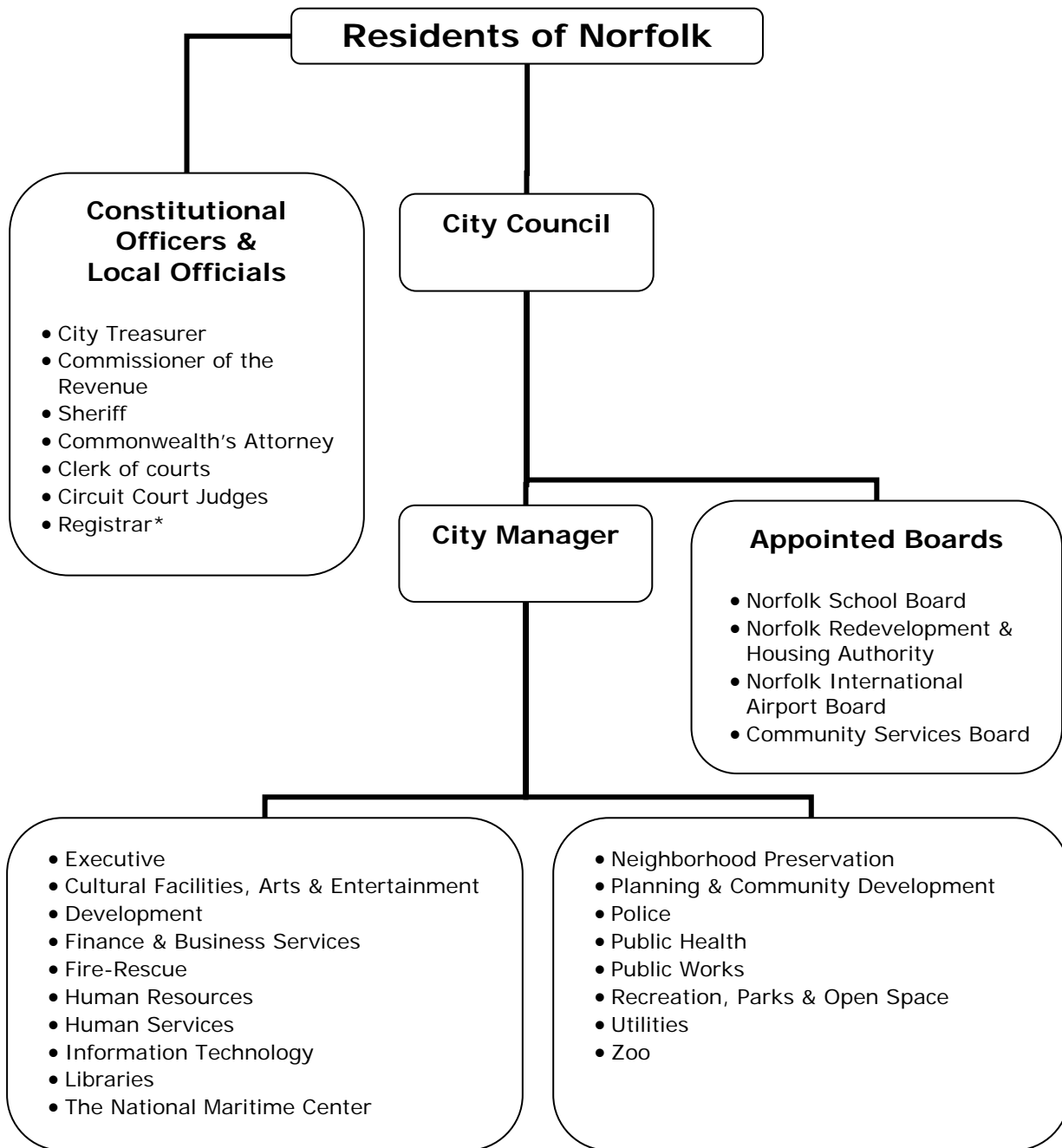
The Public School System is under the direction of the School Board, which is appointed by the City Council, and the Superintendent of Schools, who is appointed by the Board. The School Board prescribes policies for School System personnel separate from the policies and procedures in this manual.

The Judges of the Courts are appointed by the Virginia General Assembly. They and their employees are subject to personnel rules prescribed within the Courts.

The Constitutional Officers, who include the Commonwealth's Attorney, Clerk of the Court, Commissioner of the Revenue, City Sheriff and City Treasurer, are elected by the voters. Employees of Constitutional Officers should seek advice from their supervisors as to the extent policies and procedures in this manual may or may not apply to their employment.

A chart of the City government is included to show how the departments are structured within the City organization. By studying the chart, one can see the number of departments necessary to accomplish City goals.

CITY OF NORFOLK ORGANIZATION CHART



*Appointed by Virginia State Board of Elections



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.0**

**Date Issued
1 January 2004**

**Subject:
RECRUITMENT
AND HIRING**

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RECRUITMENT AND HIRING



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.1**

**Date Issued
1 January 2004**

**Subject:
APPLICANT
RECRUITMENT AND
SELECTION**

3.1 APPLICANT RECRUITMENT AND SELECTION

(City Charter Sections 110 through 125; Affirmative Actions Sections VI(a) and VI(c); Civil Service Commission Rules)

The process by which applicants for appointment and promotion are evaluated and selected is governed by numerous provisions of State and local law, including the City Charter, the Rules of the City's Civil Service Commission, and various Federal laws relating to Equal Employment Opportunity. The following summary explains in general terms how this process works.

When a vacancy occurs, departments should submit a Request to Fill form to Human Resources (except in those cases approved for exemption by the City Manager). The form is available on the HR home page on the Intranet. Human Resources reviews and forwards the form to the City Manager for approval. Once the City Manager approves a position to be filled, departments should submit a requisition to the Department of Human Resources as soon as possible.

Vacancy notices, which include job titles, salaries, required qualifications, and brief descriptions of the positions, are posted in the Department of Human Resources, on the City's Web site, and sent to other City departments for posting. Notices of promotional examinations in some departments in which assembled written competitive examinations are used are also posted in those departments. Notices of job vacancies are also published in the newspapers.

Persons seeking employment with the City of Norfolk or current employees seeking transfers or promotion can submit an application on-line or a hard copy to the Department of Human Resources. Applications for Police and Fire recruitment and promotional examinations are submitted through the Department of Human Resources following the announcement of such openings.

Once a position is announced, the Department of Human Resources will screen all applications submitted within the closing date and will maintain files of eligible applicants for particular classifications for varying time periods.

SUBJECT: Applicant Selection and
Recruitment

Policy Number: 3.1

Date Issued
1 January 2004

The Department of Human Resources will refer the five best applicants to the department seeking to fill the vacant position. It should be noted that the procedure is different for the recruitment of sworn Police and Fire positions, since the application, testing, and screening processes are more extensive.

The applications of all candidates referred to a department for a vacant position should be reviewed, and interviews conducted, as desired. Should an applicant fail to report for a scheduled interview, the departmental interviewer should indicate F.R. next to the person's name on the requisition.

The Department of Human Resources shall be notified of departmental selections for vacant positions and jobs.

The hiring department initials next to the preferred candidate and returns the requisition and applications to Human Resources, which forwards the requisition packet to the City Manager's Office for Appointing Authority signature. The applications of those not selected will remain on file in Human Resources no longer than one year from the date of receipt.

No person shall start work prior to the City Manager's approval of the requisition. Once departments have been notified that a requisition has been signed by the City Manager, they should contact and instruct persons selected when and where to report for pre-employment drug testing and New Employee Payroll/Benefits Orientation (NEPBO).

Applicants referred for interview but not selected are notified by the interviewing department of their non-selection for employment.

PROBATIONARY PERIODS

General employees appointed or promoted to positions in the classified service are required to serve a probationary period of six months. Sworn personnel in the Police and Fire Departments appointed or promoted to positions in the classified service must serve a probationary period of twelve months. During these probationary periods, employees may be discharged or demoted at the will of the City Manager, without cause or hearing. (City Charter Section 112 (7); Civil Service Commission Rule 10).



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.2**

**Date Issued
1 January 2004**

**Subject:
ORIENTATION**

3.2 ORIENTATION

New permanent full time, permanent part time and special project employees will attend the New Employee Payroll/Benefits Orientation Program, (NEPBO) conducted by the Department of Human Resources. This weekly orientation program provides information on employee benefits programs.

Once a month, Human Resources conducts a one-day new employee orientation called "Keys to Success". Employees will be registered for this orientation at the same time they sign up for the benefits orientation.

Supervisors are an employee's main source of information. Whenever a new employee has a question or concern, he or she is encouraged to discuss it with his or her supervisor. Supervisors have the responsibility of assisting employees in their charge in understanding duties, work schedules, and personnel matters.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.3**

**Date Issued
1 January 2004**

**Subject:
CATEGORIES OF
CITY EMPLOYMENT**

3.3 CATEGORIES OF CITY EMPLOYMENT

Generally, there are four categories of City employment: (1) the classified service, (2) the unclassified service, (3) employees who are in neither the classified nor the unclassified service (these include special project, substitute, trainee, and temporary employees), and (4) part-time employees.

1. **Classified Service** – These are permanent employees whose employment is governed by Sections 110-125 of the City Charter and who are within the jurisdiction of the City's Civil Service Commission. Such employees obtain their appointments and/or promotions on a competitive basis in accordance with the rules of the Civil Service Commission. Permanent part-time employees (City Code Section 2-109) are also members of the classified service.

2. **Unclassified Service** – These are employees specifically exempted from the classified service by City Charter Section 114 and are generally those elected or whose appointment is directly confirmed by the City Council (such as the City Attorney and his assistants, the City Clerk and his deputies, etc.) and higher-ranking supervisory employees (such as assistant city managers, department heads, assistant department heads, and heads or chiefs of bureaus and divisions). These employees are not within the jurisdiction of the Civil Service Commission and serve at the will of the City Council and/or the City Manager.

3. **Employees Exempt from Classified/Unclassified Service** – These employees are hired in a special project, substitute, trainee or temporary status and serve at the will of the City Manager in accordance with City Charter Section 114.1 and City Code Section 2-85. They are not within the jurisdiction of the City's Civil Service Commission, although transfers of these employees into the classified service are within the control of the Commission. Benefits for these employees must be identified by ordinance. Special project employees begin participation in the City's Retirement System upon completion of two years of service (City Code Section 37-26.1).

SUBJECT: Categories of City Employment	Policy Number: 3.3	Date Issued 1 January 2004	
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4. Part-time employment with the City is governed by City Code Sections 2-108 through 2-114 and may be “permanent”, “casual”, “periodic”, or “intermittent”.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

Policy Number
3.4

Date Issued
1 January 2004

Subject:
SALARY
INFORMATION

3.4 SALARY INFORMATION

Information relating to the compensation of city employees is contained in the City's Compensation Plans, which can be found on the City's Intranet and Internet websites. These plans are adopted by City Council by ordinance each year, but may be amended at any time by City Council when changes become necessary. For most positions, the compensation plans provide pay ranges and pay steps within each pay range, and rules governing how the compensation plans are to be applied to employees. The comprehensive rules and regulations contain provisions governing such things as starting salaries, annual increments, overtime, and special duty and education supplements. It is important to note that the compensation plans and regulations are intended to cover and include all monetary compensation payable to City employees.

Employees are encouraged to refer any questions concerning compensation rules and regulations to their supervisors or to the Department of Human Resources. Since some of the regulations are complex and changes are made throughout the year, Human Resources should be contacted on any questions that cannot be fully answered by the departmental supervisors.

An important section of the Compensation Plan addresses the issue of overtime and provides the regulations governing overtime compensation. In 1986 the City was first covered by the Fair Labor Standards Act, which provides additional regulations relating to overtime. The Fair Labor Standards Act requires the City to have the rules governing overtime closely followed and to require supervisors to monitor the amount of overtime being worked. Employees may not work overtime unless their supervisor has properly authorized it. Furthermore, employees must correctly report to their supervisor all overtime worked.

Copies of the Compensation Plan are distributed annually to payroll clerks within each division and the Chairperson of each Employee Relations Committee. If a copy cannot be located within an employee's department or bureau, a reference copy is available within the Department of Human Resources.

SUBJECT: Salary Information	Policy Number: 3.4	Date Issued 1 January 2004	
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Methods of Pay

There are two methods of pay: paycheck or direct deposit. Direct deposit is mandatory for all employees (except casual and periodic part-time) hired on or after July 1, 1990. Employees hired before July 1, 1980 may elect either direct deposit or to receive a paycheck (Note: Once they select direct deposit, they may not return to paper checks). To aid the City Treasurer and the Director of Finance in their payroll accounting procedures, it is requested that all employees cash or deposit their paychecks as soon as possible.

Direct Deposit - Direct deposit is a benefit that automatically deposits an employee's pay into a bank, credit union, savings or checking account each payday. Each pay period, information is delivered to the Automated Clearinghouse Association, which deposits the employee's net pay in either a checking or savings account at their financial institution.

To participate in the program, an Authorization Agreement for Direct Deposit of Net Pay form must be completed and returned to the departmental payroll clerk. Direct deposit will start the second payday after the data is entered into the payroll system, to allow time for the employee's financial institution to receive a pre-notification message to confirm that the employee's account number is correct. The employee will receive a pay advice to confirm that the employee's pay was deposited into the designated financial institution. Any employee who changes financial institutions should immediately notify the departmental payroll clerk, who will assist in the completion of a new form, which will initiate another "pre-notification" process.

Employees may specify only one institution in which to deposit pay. The full amount of the employee's net pay must be deposited. If an employee who uses direct deposit has wages garnished or levied for taxes, the employee's use of direct deposit will not be suspended during the garnishment period.

Any questions concerning direct deposit should be referred to the Department of Human Resources.

Payday Determination

Employees are paid on a semi-monthly basis on the 15th and the last day of the month. If the 15th or the last day of the month falls on a weekend or a holiday, employees are paid on the preceding workday.

Absence on Payday

If an employee who receives a paycheck will be on authorized leave on a payday, a salary check may be obtained, with approval of the department head, from the City Treasurer's office the day before the scheduled payday.

Loss of Paycheck

If an employee who receives a paycheck loses his or her paycheck, the City Treasurer's office must be contacted immediately to ensure that payment is stopped on the lost check.

Payroll Deductions

Deductions fall into three categories: those that are legally required and those that the employee requests.

1. Required Deductions –The Internal Revenue Code, 1954, as amended, requires an employer to withhold income taxes on wages earned. The amount of taxes withheld from gross salary is in accordance with the withholding tax table established by the United States government. This table is used in conjunction with the withholding exemption certificate (Form W-4), which all employees must file with the Department of Human Resources upon employment. The law also requires that tax be withheld from overtime and other additional payments. Other income-related deductions such as State income tax shall be withheld pursuant to the provisions of the applicable act, as will deductions for Social Security (FICA), as applicable.
2. Mandatory Deductions– The City recognizes and enforces any court-ordered deductions such as garnishments and child support payments pursuant to the guidelines established by the applicable state statutes.
3. Voluntary Deductions – These deductions include family and dependent hospitalization coverage, group life insurance (other than VSRS), credit union, United Way, U.S. Savings Bonds, deferred compensation, and various other insurance coverage and deductions sanctioned by the City and requested and authorized by the individual employee.



City of Norfolk

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.5**

**Date Issued
1 January 2004
23 June 2007 (Revised)**

**Subject:
WORKING
CONDITIONS**

3.5 WORKING CONDITIONS

A. Standard Workday – The standard workday for all members of the classified and unclassified service shall normally not exceed eight (8) hours in accordance with promulgated department work schedules, provided that deviations from the standard workday necessitated by the department mission may be approved by the city manager. As used in this section the term “firefighter” means any member of the department of fire-rescue whose primary and usual duties involve the suppression of fires and the rendering of emergency medical care. (City Code Section 2-46)

B. Standard Workweek – The standard workweek for all members of the classified and unclassified service, except firefighters, as defined in section 2-46, and except uniformed police officers and per diem employees, shall consist of five (5) consecutive work days, including designated holidays as provided in section 2-48. Deviations from the standard workweek necessitated by the department mission shall be approved and published by the city manager and thereafter shall constitute the standard workweek. The standard workweek for firefighters, as defined in section 2-46, and uniformed police officers shall consist of the established work periods as designated in the departmental work schedules approved by the respective department heads. (City Code Section 2-47)

C. Time Records – the City requires that each department maintain accurate time records of hours worked by its employees.

D. Reporting for Work – it is understood that it will be necessary, from time to time, to be absent from work due either to illness or injury, or for other personal reasons. The sick leave and annual leave provisions are explained in other sections of this manual. Although an employee is entitled to this leave, the employee must notify his or her supervisor as far in advance as possible when he or she learns that it is going to be necessary to be absent, so that work schedule can be adjusted. This should be done even when leave without pay is requested.

If an employee is physically unable to notify his or her supervisor he or she must have a relative or friend notify the supervisor. This is necessary to allow the supervisor to plan for absences and rearrange schedules so the total work of the organization can best be completed. It is for this reason a supervisor has the right to inquire as to how long an employee expects to be absent.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.6**

**Date Issued
1 January 2004**

**Subject:
TEMPORARY
ACTING SERVICE**

3.6 TEMPORARY ACTING SERVICE

The temporary acting service of classified employees is governed by Civil Service Commission Rule 13A. CSC Rule 13A limits the normal duration of temporary acting service of classified employees to 180 days, and, if approved by the Commission, one extension of 180 days. Temporary Acting Service may not exceed two years. (Amended 6/30/04)

Whenever an employee is legally assigned to serve in a temporary acting capacity in a higher classification in the classified service, or to a higher ranking or higher compensated position in the unclassified service, such employee, during the period of such service, shall be compensated at the same rate and in the same manner as if he or she had been promoted to such position, in accordance with the procedure provided in the City's Compensation Plans. The employee assuming a higher classification must meet the minimum qualifications specified in the class specification. When temporary acting service is discontinued, an employee's compensation shall revert back to that which would have been paid if the employee had not been assigned to serve in a temporary acting capacity.

(See Sections titled Temporary Acting Service in the General Employee, Police, and Fire Compensation Plans. The Executive and Senior Management Compensation Plans also contain sections titled Temporary Acting Service, which outline applicable pay procedures).



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.7**

**Date Issued
1 January 2004**

**Subject:
EMPLOYMENT OF
RELATIVES**

3.7 EMPLOYMENT OF RELATIVES

A. The City Manager is directed to ascertain the names of all employees of the city who are immediate family members to the person employing such employees. Immediate family is defined to mean parents, grandparents, spouse, children, grandchildren, sisters and brothers, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle and any relative residing in the employee's home, relatives by adoption, and step relatives in the described relationships. The retention of any such related person in the employ of the city is to be subject at all times to the approval of the City Manager.

B. The employment of any persons so related to the person employing them shall be with the approval of the City Manager before employment commences.

C. The provisions of this section shall not apply to any employee in the unclassified service, nor to any person whose appointment is required by the Charter to be made or confirmed by the City Council.

D. No employee of the City shall provide direct supervision to immediate family members.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.8**

**Date Issued
1 January 2004**

**Subject:
GUIDELINES FOR
POLYGRAPH
EXAMINATION**

3.8 GUIDELINES FOR POLYGRAPH EXAMINATION

These administrative guidelines are issued by the City Manager's Office to ensure orderly and consistent use of polygraph examinations of City employees whenever such examinations are determined necessary by proper authority under conditions hereinafter described.

A. Application – these guidelines apply and are intended to refer to all City employees in the classified and unclassified service and under the supervision or appointment of the City Manager, with the following exceptions:

- Personnel who are given pre-employment polygraph testing as a part of the application review procedure for service in the Department of Fire-Rescue, or the Department of Police. These procedures shall be otherwise prescribed.
- Sworn personnel of the Department of Police examined under procedures prescribed by the Police Officers' manual of the City Department of Police. These procedures shall be otherwise prescribed.
- Personnel required to take examinations as part of legal proceedings ordered by a court or law enforcement agency of the Federal or State governments.
- Examinations directed and conducted by others not associated with the City. For example, when an examination concerns matters not arising out of or related to employment with the City or not arising out of or related to activities or operations of the City government.

B. Purpose – these guidelines are to assure:

1. Orderly authorization for the use of a polygraph examination.

2. Consistent procedures for conducting polygraph examinations.

3. Attention to the rights of employees who may be considered for or subjected to polygraph examinations.

C. Administrative Investigation – Employees who may be directed to undergo and complete a polygraph examination for administrative purposes will be considered as required to do so when the examinations are conducted under these circumstances. Refusal to do so may be considered insubordination and subject the employee to a charge or charges under the Disciplinary Rules of the City.

D. Confidentiality – Records of any polygraph examination shall be maintained on a confidential basis and released only by responsible authority for matters relating to the original cause for the polygraph examination.

E. Authorization - The request for examination may be made by a department head or other officer of the City conducting an inquiry or investigation into matters of City interest, or by a representative of a committee or commission which has been authorized to conduct inquiries or investigations into a matter of City interest.

A request to schedule a City employee for a polygraph examination must be submitted in writing to the City Manager. The City Manager will reply in writing, either granting or denying the request. If the request needs prompt attention during the absence of the City Manager, an Assistant City Manager shall reply.

A polygraph examination will be authorized if the City Manager considers it necessary to test the validity of any conflicting testimony or any uncertainties in statements given under previous interrogation in administrative inquiries, or that such is necessary in inquiries into matters involving or associated with employees of the City.

F. Instruction – Instructions requiring an employee to submit to the pre-test procedure and a polygraph examination are to be hand-delivered to the employee or, if not practical, be forwarded by certified mail to the employee's last known address of record filed with the Department of Human Resources.

The instructions will include:

1. Identification of the subject matter for which the employee is to appear.
2. A statement that the examination has been authorized by the City Manager.
3. Date, time, and place of the examination.
4. Name, address and telephone number of the examiner.
5. A copy of these guidelines.

G. Postponement – An employee instructed to appear for polygraph examination may request postponement by writing the individual or department requesting the examination and stating the reason for postponement. If a written request is not practical, the request can be made orally, with the recipient of the request making a note for the record. A postponement will be granted for valid purposes only and for such a brief time as to accommodate illness or other unavoidable circumstances. It is the objective of proceedings involving the use of polygraph examinations that they be conducted expeditiously without undue and unsupportable delay.

H. Examiner – Polygraph examinations will be administered only by persons licensed under the Polygraph Examiner's License Law Regulations of the Virginia Department of Commerce.

I. Pre-Test Procedure – Prior to a polygraph examination, the examiner will conduct a pre-test examination with the employee being examined. The employee will be informed of all of the issues to be determined by the examination and to be reported on by the examiner. The questions to be asked on the examination will be put in writing and will be read to the employee and provided to the employee before the polygraph examination. An employee may provide a copy of the examination questions to the employee's attorney. However, an attorney for the employee will not be allowed to be present during the scheduled pre-test or the polygraph examination.

J. Questions – Questions directed to an employee by the examiner in both the pre-test procedure and the polygraph examination are to be limited to the immediate matter under

investigation and to the testing purpose. In the polygraph examination, the examiner may apply irrelevant and immaterial questions solely for technical purposes of testing of equipment or demonstration of the equipment and procedure of use, but such questions shall not be incriminatory in any way to the employee.

K. Termination of Examination – The employee has the right to request termination of the pre-test procedure and/or the polygraph examination at any time during the examination, and the examiner is to promptly terminate the examinee. If an employee calls for termination of a commenced examination, the reason for the termination shall be examined by the department head or other principal officer of the City with authority in the matter. If ascertained by the department head or other principal officer that there was no reason or insufficient reason for the termination request, the employee's action may be considered refusal and handled as referred to in Section C above. If the examination had been of a departmental head or principal officer and termination occurred, the matter shall be reviewed and acted upon by the City Manager.

L. Report of Examination – The examiner will furnish a written report on the results of the polygraph examination to the person who requested the examination. If the employee requests, he or she will be furnished the written report.

M. General - Any action which may cause a matter of polygraph to be handled at variance to a provision of the guidelines shall not be considered to void all other provisions in that matter or in any subsequent matters.

It is recognized that administrative guidelines are applicable and enforceable within the range of authority and/or influence of the issuing authority and any questions as to the application of administrative guidelines will be dealt with on case-by-case basis.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
3.9**

**Date Issued
1 January 2004**

**Subject:
CITY'S
COMPENSATION
PLAN**

3.9 CITY'S COMPENSATION PLAN

The City maintains a comprehensive Compensation Plan, which is amended annually and as needed. This document governs the administration of salaries, wages, and other monetary employment payments and compensatory leave. Copies are available in all City departments and on the City's Intranet and Internet websites.

- **COMPENSATION FOR OVERTIME AND IMPROPER DEDUCTIONS**

It is at present and at all times in the past has been the policy of the City of Norfolk to comply with all relevant, applicable state and federal laws and regulations governing the compensation of its employees, including the provisions of the Fair Labor Standards Act (FLSA) and the regulations promulgated thereunder. (29 U.S.C. 201 et seq.). The following policy is intended to clearly communicate the rights of City employees concerning any suspected and/or confirmed inadvertent violations of the FLSA. (Added August, 2004)

COMPENSATION FOR OVERTIME - IMPROPER DEDUCTIONS PROHIBITED

The City makes every effort to ensure that all of its employees are paid correctly and in accordance with law for all hours they work, and that no improper deductions are made from their pay. However, inadvertent mistakes can occasionally happen. Employees should always review their pay advices and/or checks when they receive them to make sure that they accurately reflect their earnings. The City will promptly make any necessary corrections when a mistake is discovered. Employees should follow the following complaint procedures in order to correct mistakes in their pay. (Added August, 2004)

COMPLAINT MECHANISM

If an employee believes that his pay does not accurately reflect the hours he worked and/or does not credit the employee with the overtime to which he is entitled, or if he believes that his pay was subject to an improper deduction, the employee should immediately report the matter to his



**City of
Norfolk**

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**Policy Number
3.9**

**Date Issued
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**Subject:
CITY'S
COMPENSATION
PLAN**

assigned payroll clerk or to his supervisor if his payroll clerk is not available. If either are unavailable or if the employee believes it would be inappropriate to contact either of them, then the employee should immediately contact an administrator within his department above the level of his supervisor. If the employee is unsure of whom to contact, or if he has not received a satisfactory response within five (5) business days after reporting the matter, he should always contact the Department of Human Resources. (Added August, 2004)

The Department of Human Resources may be contacted for this purpose by telephone at (757) 664-4478, or in writing delivered to: Wage and Hour Salary Team Leader; Department of Human Resources; Room 100, City Hall Building; 810 Union Street; Norfolk, Virginia 23510. (Added August, 2004)

The City will fully investigate every complaint filed pursuant to this policy, and will take prompt corrective action when appropriate so as to both reimburse the employee and ensure future compliance with the FLSA. In addition, the City will not allow any form of retaliation against employees who report alleged violations of this policy or cooperate in the City's investigation of such reports. Any form of retaliation or other willful violation of this policy by employees will result in disciplinary action up to and including dismissal. (Added August, 2004)



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.0**

**Date Issued
1 January 2004**

**Subject:
BENEFITS**

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BENEFITS

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: LEAVE POLICY (4.1)

Page 1 of 11



**City of
Norfolk**

EFFECTIVE DATE: July 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Mary D. Jones", written over a horizontal line.

I. PURPOSE

The City of Norfolk values its employees and encourages a work-life balance that elevates the organization to be an employer of choice. In support of this goal, the City offers a variety of leave benefits. The purpose of this policy is to regulate all forms of leave that are provided and to outline procedures for the request, approval and the utilization of such leave.

II. POLICY

This policy provides leave benefits to eligible employees as defined in the procedures below.

All requests for leave should be submitted and approved in advance of any absence from work. It is recognized that City departments may have established departmental leave policies related to leave utilization which are unique and are designed to meet organizational needs. Employees are also required to adhere to established departmental leave policies.

Leave is granted at the discretion of the department head or designee and may be disapproved depending upon operational need, insufficient justification or misuse. Employees should not presume leave will be approved solely because accumulated leave is available.

Documentation to support any absence may be required by a department head.

III. PROCEDURE

Leave Types

A. Annual Leave

All members of the classified and unclassified service and special project employees granted leave benefits by ordinance are eligible for annual leave.

Employees with:	Accrue:
Less than 5 years of service	96 hours per year (8 hours per month)
5 years, but less than 10	120 hours per year (10 hours per month)
10 years, but less than 15	144 hours per year (12 hours per month)
15 years, but less than 20	160 hours per year (13.34 hours per month)
20 or more years	184 hours per year (15.34 hours per month)

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: LEAVE POLICY (4.1)

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Sworn Fire-Rescue Employees with:	Accrue:
Less than 5 years of service	124.8 hours per year (10.4 hours per month)
5 years, but less than 10	156 hours per year (13 hours per month)
10 years, but less than 15	187.2 hours per year (15.6 hours per month)
15 years, but less than 20	208 hours per year (17.334 hours per month)
20 or more years	239.2 hours per year (19.934 hours per month)

**Periods of leave without pay will not be counted for the purpose of accumulation of leave with pay.*

Carryforward	
Employee Category:	Maximum Carryforward as of December 31:
General Employees	48 days (384 hours)
Sworn Fire-Rescue (24 hour shifts)	48 days (499.2 hours)
Executive and Council Appointees	50 days (400 hours)
City Manager and City Attorney	100 days (800 hours)

Annual leave in excess of the maximums listed in the Carryforward table above may be accrued during a calendar year, but may not be carried over beyond December 31 of each year, unless approved by the City Manager or designee. Any such accrued leave in excess of the listed maximums will be forfeited at the end of the first pay period in January of the following year.

The City Manager must approve any leave of absence of more than 156 hours for sworn Fire-Rescue employees.

To ensure the City's commitment to providing excellent services management must make certain adequate resources are available; therefore, it is necessary for requests for annual leave to be submitted and approved in advance of the leave utilization.

B. Sick Leave

All members of the classified and unclassified service, special project employees granted leave benefits by ordinance, and periodic part-time employees are eligible for sick leave.

Employees:	Accrue:
Eligible Employees	Accrued on an hourly basis equivalent to one day per month for each full month employed
Sworn Fire-Rescue Employees	Employees assigned to a twenty-one (21) day work cycle accrue twelve (12) hours per month for each full month employed

**Periods of leave without pay will not be counted for the purpose of accumulation of leave with pay.*

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Sick leave may be utilized for the following purposes:

Employee:

- Sickness
- Visits to licensed health care providers
- Contribution(s) to voluntary cooperative program "Sick Leave Bank"

Immediate Family Members or Immediate Household Members:

- Sickness
- Visits to licensed health care providers

Immediate Family Members for the purposes of sick leave are defined as parents (natural or adoptive), spouses, children, siblings, and legal wards. Relatives by adoption and step relatives in the described relationships are also immediate family members.

Immediate Household Members for the purposes of sick leave are defined as relatives, either by blood, adoption, or marriage, who permanently reside in the employee's primary residence.

Any leave due to sickness must be substantiated by documentation from a physician, if requested by the employee's department head or designee.

C. Holiday Leave

All members of the classified and unclassified service and special project employees granted leave benefits by ordinance are eligible for holiday leave.

Holidays:	Observed:
New Year's Day	January 1
Birthday of Dr. Martin Luther King, Jr.	Third Monday of January
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve – One-half (1/2) day	December 24
Christmas Day	December 25
Employee's Birthday	Utilization Defined Below
Diversity Day	Utilization Defined Below

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If any holiday listed above is on a Saturday, it will be observed on the preceding Friday, and if any holiday listed above is on a Sunday, it will be observed on the following Monday. In the event Christmas Day is on a Saturday or a Monday, the one-half (1/2) holiday for Christmas Eve will be observed on the work day preceding the day on which the Christmas Day holiday is observed.

Employee's Birthday:

The Employee's Birthday holiday may be taken on the employee's birthday; however, the employee's department head may authorize the leave day to be taken at any time during the calendar year in which the birthday falls. New hires may take the birthday holiday in the initial calendar year only if their birthday occurs on or after their hire date.

Periodic part-time employees are eligible to receive the Birthday holiday equivalent to their defined work day.

Diversity Day:

The Diversity Day holiday is one day of leave with pay (based on an employee's approved standard work schedule), on a day to be chosen during a calendar year by each individual employee, for all employees except Fire-Rescue employees on a twenty-four (24) hour shift schedule, who shall be granted twenty-four (24) hours of such leave. This day may be taken in half-day increments (based on an employee's approved standard work schedule). This day shall recognize the personal and religious diversity of the City's workforce.

In order to be eligible to receive holiday pay, eligible employees must actually work the last scheduled work day before and the first scheduled work day after such holiday, or be on annual, sick or otherwise authorized leave with pay on such days.

D. Administrative Leave

All members of the classified or unclassified service are eligible for administrative leave. The City Manager or designee may authorize administrative leave, with pay, for matters that impact the safety or well-being of an employee or as administratively justifiable. Department heads should submit written requests for administrative leave to the Director of Human Resources for review and processing.

Administrative leave may be provided for, but is not limited to, the following:

Emergency Leave of Absence

An employee's department head may request administrative leave for an emergency leave of absence due to circumstances beyond an employee's control.

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No emergency leave of absence with pay will be:

- granted to anyone employed by the City for less than six (6) months immediately preceding the date of such application for an emergency leave of absence;
- for a period longer than one work day for each calendar month the employee has been in the service of the City.

Administrative Medical Leave of Absence

Employees totally disabled from working due to preventative medical treatment for a work-related exposure to an infectious disease (or potentially infectious disease); or an illness caused by vaccines or other inoculations required or approved by the City or physicians retained by the City may be eligible for administrative leave.

Administrative medical leave of absence with pay:

- will be for the period of total disability when certified by one or more physicians retained by the City;
- will not extend beyond forty-five (45) calendar days from the date of initial preventative medical treatment or inoculation.

In order for an employee to qualify for an administrative medical leave of absence, the need for preventative medical treatment or inoculation causing disability, the existence of the total disability, and its causation by the treatment or inoculation referred to above must be certified by one or more physicians retained by the City, or by one or more treating physicians, at the sole option of the City. In the event of any dispute, the City shall have the right, in its sole discretion, to accept or reject the opinion of any physician.

In order for an employee to qualify for leave under this section, the employee must not be eligible for benefits under the Virginia Worker's Compensation Act.

Relocation or Transition

Administrative leave may be authorized in order to provide a new appointee a leave of absence for the purpose of facilitating relocation or transition. Unused administrative leave for this purpose will not be paid out upon separation of employment.

Recruitment and Performance

Administrative leave may be authorized to grant a period of leave for the purpose of facilitating recruitment or in recognition of excellent performance. Leave for this purpose must be taken within one year of being granted; the City Manager or designee may approve, in writing, an additional extension of up to six (6) months for taking such leave. Unused administrative leave for this purpose will not be paid out upon separation of employment.

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With the exception of the leave categories of Emergency Leave of Absence and Administrative Medical Leave of Absence as defined above, administrative leave shall not exceed the following:

Employee Group:	Maximum Authorized Per Fiscal Year:
General Employees	3 days (24 hours)
Senior Management (Includes sworn police employees in the classification of Police Captain and above; sworn fire-rescue employees in the classification of Battalion Chief and above)	5 days (40 hours)
Executive	10 days (80 hours)

**Sworn members of the departments of Police and Fire-Rescue, excluding those identified above as senior management, fall under the general employee group.*

E. Civil Leave

All members of the classified and unclassified service are eligible for civil leave. Civil leave may be utilized for the following purposes:

Jury Duty:

Employees will be entitled to civil leave with pay for periods during normal working hours and on a scheduled workday, when they are required to render jury service or have been summonsed or subpoenaed, except for a defendant in a criminal case, by any court or other proceeding before an agency empowered to issue subpoenas. Such leave will not be granted in any instance when the proceeding involves personal interests of the employee not related to their assigned employment responsibilities with the City, or in any instance when litigation is instituted by the employee or an organization of which they are a member. Although leave will not be granted in such instances, no adverse personnel action shall be taken against the employee, nor shall the employee be required to use sick leave or annual leave as a result of his/her absence from work due to his/her responding to a subpoena.

Employees summoned for jury duty are not required to report to work on the day(s) of such service.

Any payment received from the courts or pursuant to law by reason of jury service or attendance as a witness may be retained by the employee.

The compensation of employees required to appear in court during periods when they are not working a regular tour of duty shall be governed by the applicable provisions of the regulations for the administration of the compensation plan of the City.

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Voting:

Civil leave, not to exceed one hour, may be granted for the purpose of voting in any local, State, or Federal election, when it is established that normal working hours would otherwise prevent such activity.

Polls:

Any employee who volunteers to work the polls serving as an Officer of Election, on Election Day, will not be required to use sick or annual leave, as a result of his/her absence from employment due to such service, provided the employee gave reasonable notice of such service. No employee who serves for four (4) or more hours, including travel time, on the day of service will be required to start any work shift that begins on or after 5:00 p.m. on the day of service or begins before 3:00 a.m. on the day following the day of service.

F. Bereavement Leave

All members of the classified and unclassified service, special project employees granted leave benefits by ordinance, and periodic part-time will be excused from work upon the death of a member of their immediate family.

Employee Category:	Provided:
Eligible Employees	Three (3) working days of leave, based on the employee's standard work day, to be used at any time, at the employee's option, in whole or in part, within fourteen (14) calendar days after the death of the immediate family member.
Sworn Fire-Rescue (24 hour shifts)	Forty-eight (48) hours of leave to be used at any time, at the employee's option, within fourteen (14) calendar days after the death of the immediate family member.

Any such leave desired to be used beyond fourteen (14) calendar days after the death of the immediate family member must be approved by the Director of Human Resources.

Immediate Family Member for the purposes of bereavement leave is defined as parents, grandparents, spouse, children, grandchildren, sisters and brothers, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and any relative residing in the employee's home at the time of death. Relatives by adoption and step-relatives in the described relationships, for the purposes of bereavement leave, will be treated as immediate family members.

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G. Volunteer Leave

All City employees are eligible for volunteer leave. Employees are granted four (4) hours of paid leave per calendar year for community service within the Norfolk Public School Division. Unused leave will be forfeited at the end of the leave year.

H. Military

Employees who are former members of the armed services or members of the organized reserve forces of any of the armed services of the United States, National Guard, or naval militia are eligible for military leave.

Eligible employees will be entitled to a maximum of fifteen (15) work days of paid leave per federal fiscal year (October 1 – September 30) for the purpose of any type of military duty, to include training duty, which is funded by the Federal government. Weekend training (inactive duty for training), attendance at active duty military schools maintained by the armed services of the United States, and additional training duty of various types, as well as annual training, all qualify for paid leaves of absence, up to a maximum of fifteen (15) work days per person per fiscal year.

Employees are required to submit a copy of their orders to report and the dates during which service is required.

In addition, the City complies with Federal laws such as the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), (38 U.S.C. § 4301 et seq.), which requires that employees under certain circumstances are entitled to leave without loss of benefits and/or reinstatement after certain period of military service. Employee requests for leave in addition to that described in the preceding paragraph, or for reinstatement after a term of military service should be referred to the Department of Human Resources for review, along with relevant detailed documentation of the purpose and duration of the absence from the City's service.

I. Leave Without Pay

Employee compensation will be reduced for periods of leave without pay. Leave without pay is used when:

1. work absence is not authorized;
2. disciplinary action is imposed such as suspension or due to any unnecessary process delay caused by the employee or circumstances beyond the City's control;
3. work absence is authorized, although the employee does not have sufficient available leave.

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J. Transfer

Employees who transfer within the organization, from one department to another, maintain any accrued leave. Leave requests approved by the former department head or designee will be subject to re-approval by the department head or designee of the department to which the employee has transferred.

K. Terminal Leave

Employees separating from City employment may utilize terminal leave. Terminal leave is a compensated leave of absence taken immediately prior to the date of separation. Employees may utilize earned annual leave, up to the limits specified in the Carryforward table noted in Section III (A) of this policy, or compensatory leave as terminal leave.

L. Payment for Unused Leave

Separation from City Employment

Upon separation from City employment, regardless of reason or circumstance, employees will receive payment for all remaining annual (up to the Maximum Carryforward limit specified in Section III above), holiday (excluding birthday and diversity day), upon approval of the City Manager, and compensatory leave balances, after verification that all absences prior to separation have been processed. Hours will be paid based upon the employee's current equivalent hourly rate.

Any monies owed the City will be deducted from the leave payout.

Change in Leave Benefit

Changes in employment status may result in an employee no longer being eligible to accrue certain leave benefits. When this occurs, employees will receive payment for all remaining annual (up to the Maximum Carryforward limit specified in Section III above), holiday (excluding birthday and diversity day), upon approval of the City Manager, and compensatory leave balances, after verification that all absences prior to the change in employment status have been processed. Hours will be paid based upon the employee's current equivalent hourly rate.

Employees on a leave of absence in accordance with the Corrective Action Guidelines and Procedures, Policy 8.3, for 30 or more consecutive days may request in writing, to the Director of Human Resources, a payment for all remaining annual leave (up to the Maximum Carryforward limit specified in Section III above). Hours will be paid based upon the employee's current equivalent hourly rate.

Any monies owed the City will be deducted from the leave payout.

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IV. RESPONSIBILITY

A. Employees

All employees are responsible for adhering to the guidelines established in this policy. Additional responsibilities include:

- Managing and utilizing leave benefits to ensure absences do not negatively impact or disrupt the work unit or productivity.
- Requesting any leave of absence in a timely manner.
- Ensuring the appropriate leave type, e.g. annual, sick, compensatory, etc., is requested and leave is available at the time of request.

B. Directors/Managers/Supervisors

Directors, managers and supervisors are responsible for ensuring this policy is fully implemented and enforced. Additional responsibilities include:

- Ensuring maximum compliance with and employee awareness of this policy.
- Timely processing of all requests for leave.
- Ensuring the requested leave will not negatively impact or disrupt the work unit or productivity.
- Monitoring employee leave accrual and utilization.
- Ensuring employees are provided opportunities to utilize accrued leave that may be forfeited within the defined utilization period.

C. Human Resources

The Department of Human Resources is responsible for policy administration, guidance and compliance.

V. HISTORY

This policy replaces the following Policy and Administrative Regulations Policy and Procedures:

- Holidays, Policy Number 4.1, dated 01/01/2004; revised 11/2007 and 06/23/2009
- Annual Leave, Policy Number 4.2, dated 01/01/2004; revised 07/01/2004, 06/23/2007, and 06/23/2012
- Sick Leave, Policy Number 4.3, dated 01/01/2004; revised 06/23/2012
- Civil Leave, Policy Number 4.4, dated 01/01/2004
- Bereavement Leave, Policy Number 4.5, dated 01/01/2004
- Terminal Leave, Policy Number 4.6, dated 01/01/2004; revised 06/2006 and 06/2012
- Leave Without Pay, Policy Number 4.7, dated 01/01/2004
- Military Leave, Policy Number 4.8, dated 01/01/2004
- Emergency Leave, Policy Number 4.9, dated 01/01/2004
- Administrative Medical Leave, Policy Number 4.13, dated 04/01/2004

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TITLE: LEAVE POLICY (4.1)

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VI. AUTHORITY

City of Norfolk Code:

- Section 2-48. – Holidays
- Section 2-49. – Annual/vacation leave
- Section 2-49.1. – Leave of absence generally–Firefighters
- Section 2-50. – Sick leave; absence because of sickness
- Section 2-51. – Administrative leave
- Section 2-52. – Civil leave
- Section 2-53.1. – Bereavement leave
- Section 2-54.1. – Norfolk Public Schools-Volunteer leave

Virginia State Code:

- Section 18.2-465.1
- Section 24.2-118.1.

City of Norfolk Compensation Plan
Fair Labor Standards Act

This policy has been established by the Department of Human Resources. In the event of any conflicts between this policy and federal, state or local law or regulation, the latter takes precedence.

VII. REGULATION UPDATE

Modifications to this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.10**

**Date Issued
1 January 2004**

**Subject:
SICK LEAVE BANK**

4.10 SICK LEAVE BANK

A. Purpose:

1. To establish a voluntary Sick Leave Bank which will provide disability income for those City employees who have catastrophic medical problems, but are not eligible for Workers' Compensation or retirement benefits. The Sick Leave Bank will be continued as long as at least 25% of all permanent full-time and permanent part-time employees agree to participate in accordance with the provisions of this policy.

B. Eligibility for Participation:

1. All newly hired permanent full-time and permanent part-time employees of the City of Norfolk are eligible to join the Sick Leave Bank by designating their first accrued day of sick leave to be deposited in the Sick Leave Bank. Individuals who have not elected to participate in the Sick Leave Bank at the time they are hired must await the next open enrollment date to join, and will then be required to have accumulated a minimum of ten sick leave days before joining.

2. Employees who join the Sick Leave Bank must have completed their probationary period before becoming eligible to withdraw days from the Bank.

C. Requirements for Participation:

1. Participation in the Sick Leave Bank is voluntary. Only those employees who make voluntary contributions to the Bank will be permitted to participate in the Bank. Participation does not guarantee to an employee approval of requests to withdraw from the Bank.

2. In order to participate in the Bank, each employee will be required to contribute one day of accumulated sick leave to the Bank. Participation will begin as of the date of contribution. Sick leave contributions to the Bank are irrevocable and cannot be returned if the employee cancels his participation in the Bank.

3. Each calendar year, participating employees may be required to contribute one additional day. The Department of Human Resources will determine the need and extent of future contributions. The Department of Human Resources is empowered to require a special assessment of one (1) day from each participating employee, if the total accumulated number of Bank days falls below half of the number of participating employees.

D. Eligibility for Benefits:

1. Provided the employee is a participant in good standing of the Sick Leave Bank, he, or someone on his behalf must submit the appropriate request form for a Sick Leave Bank withdrawal to the Review Committee. Included with the request form will be a physician's certification of disability as described in Section H. 7 below.

2. Action will be taken by the Review Committee pursuant to each request within 10 working days following the expiration of a 30-workday waiting period per continuous disability absence. The 30-workday waiting period will begin on the first day the employee is absent from work as a result of the illness or injury. For the purpose of this procedure the term "workdays" shall be understood to mean consecutive Mondays through Fridays, excluding holidays.

3. The Review Committee may request a certification from a second physician of the Committee's choice at any time and at the employee's expense. Certification from a Committee-selected physician will be required after 50 Sick Leave Bank Days are used in any one continuous period of disability. This physician would make his report directly to the Committee. The report is to include the nature, extent, and anticipated duration of the disability. Additional physician certification may be required by the Committee as necessary.

4. Failure to submit any requested physician's certification of disability may result in denial of Sick Leave Bank benefits.

5. Eligibility for approved Sick Leave Bank benefits is contingent upon the exhaustion of all individually accrued sick, annual and compensatory leave days. If an employee does not have 30 workdays of leave, that employee will be put on "leave without pay" until they have been absent from work for 30 days as a result of the injury or illness.

6. Only a 5-workday waiting period is required when the disability is related to a previous disability during the preceding 30-day period for which Sick Leave Bank benefits have been approved by the Committee.

E. Disability Benefits:

1. The maximum number of workdays an employee can withdraw from the Sick Leave Bank during his or her employment with the City of Norfolk is 250.
2. No employee will be entitled to draw more than 100 days for one absence from work or during a twelve-month period.
3. An employee who is approved for disability retirement benefits or Social Security is ineligible to draw from the Sick Leave Bank.

F. Exclusions, Limitations, and Termination of Benefits:

1. Disabilities resulting from the following will be excluded from eligibility for Sick Leave Bank benefits:
 - a. Any occupationally related accident or illness for which Workers' Compensation benefits are payable.
 - b. Horseplay or intoxication by alcohol or drugs while at work, or a failure to obey instructions or use a safety device while at work.
 - c. Intentional self-inflicted injuries.
 - d. Injury occurring in the course of committing a felony or assault.
 - e. Active duty service in the armed forces.
 - f. War, insurrection, rebellion, or active and illegal participation in a riot.
 - g. Cosmetic surgery or treatment, or surgery or treatment deemed medically unnecessary by a physician.
2. No Sick Leave Bank benefits will be payable for that portion of any period of disability when the disabled employee is confined in a penal or correctional institution as a result of conviction for a criminal or other public offense.

3. The granting of Sick Leave Bank days for any period of disability caused by nervous or mental diseases or disorders, alcoholism or drug addiction or chemical dependence will be limited to a total period of 60 workdays during a twelve-month period unless the participating employee is confined in a legally constituted hospital.

4. The granting of Sick Leave Bank days for any period of disability caused by normal pregnancy will be limited to a total period of 60 workdays during a twelve-month period.

5. A participating employee will immediately lose the right to use Sick Leave Bank benefits because of the following:

- a. Termination of employment with the City.
- b. A suspension without pay.
- c. Voluntary cancellation of participation in the Bank.
- d. Failure to make required contribution (except for a person receiving Sick Leave Bank benefits on a day that employees are required to contribute an additional day), or provide required physician certification.
- e. Any abuse or misuse of the Sick Leave policy for which the employee has been disciplined within 12 months of the commencement of the disability.
- f. Exhaustion of maximum Sick Leave Bank days.
- g. Fraud or misrepresentation in requesting or use of Sick Leave Bank benefits.

G. Pre-Existing Conditions:

1. For employees eligible to participate in the Sick Leave Bank, disabilities arising within the first year of participation and attributable to a pre-existing condition will be excluded from the Bank.

H. Administration:

1. The Sick Leave Bank will be administered by the Department of Human Resources. The Director of Human Resources will recommend such rules and policies, notwithstanding those provided herein, considered appropriate for the operation of the Sick Leave Bank. Any additional rules or policy so developed must be approved by the City Manager.
2. A seven (7) member Review Committee will consist of: three (3) ERC members appointed by the Chairman of the City Manager's ERC Committee; three (3) members appointed by the City Manager; and the Director of Public Health, who will serve as the Chairperson. The members of the Committee will serve two-year terms and can be reappointed. The six (6) appointed members of the Committee shall be active members of the Sick Leave Bank. The members of the Committee annually will select from the membership a co-chairperson to conduct meetings in the absence of the chairperson. At any meetings of the Committee, four members shall constitute a quorum; decisions shall be made by majority vote.
3. The Review Committee shall have the responsibility of reviewing all requests from the Bank, verifying the validity of the requests, approving or denying the requests, and communicating the decision to the Director of Human Resources. The decision of the Review Committee is final, subject to the provisions of subsection 4. below.
4. The Review Committee will interact as necessary with the Departments of Finance and Human Resources in the operation of the Sick Leave Bank. The Department of Human Resources will receive and review the decisions of the Review Committee to assure consistency with City sick leave and other leave policies and with the rules and policies of the Sick Leave Bank. The Department of Human Resources will be notified by the Review Committee to effect Sick leave payments and to account for Sick Leave Bank grants. The Department of Human Resources will at that time notify the employee and affected department. Decisions of the Review Committee shall be effective from the time they are made, with Sick Leave Bank benefits payable commencing on the first regular pay period following the date on which the decision is made.
5. All requests for Sick Leave Bank benefits shall be made on authorized forms and submitted to the Review Committee. Applicants may submit requests for an extension before the expiration of their current request.

6. If the Review Committee may reasonably presume that an applicant for Sick Leave Bank benefits may be eligible for disability retirement, or any other disability or loss of time benefits, the Review committee will request that the applicant apply for such benefits. Failure to apply would disqualify the applicant for Sick Leave Bank benefits.

7. Each request for Sick Leave Bank benefits shall include a signed physician certification confirming the cause of the illness or injury, certifying the existence of a disability that prevents the participating employee from performing assigned duties, and stating the anticipated duration of the disability.

8. All forms for application for participation in the Bank, requests for withdrawal of Bank days, and cancellation of participation will be available in the Department of Human Resources.

9. The Department of Human Resources shall maintain records of all participating employee contributions, withdrawals, and the status of the Bank.

10. The Department of Human Resources shall report the status of the Bank at any time upon the request of the Review Committee and shall provide information to the Committee with respect to any participating employee's contribution status or prior use of Bank benefits.

H. Termination or Modification of the Sick Leave Bank:

The City intends to continue the Sick Leave Bank, but it reserves the right to institute a termination or modification thereof unilaterally and without prior notice. However, all existing and pending disability withdrawals will be honored by the Bank to the extent Sick Leave Bank days remain available. Should the Sick Leave Bank be terminated, all unused sick leave days will be distributed to the then current participating employees based on the number of years each has participated in the Bank.

I. Financing:

The participating employees will bear the entire benefit cost of the Bank through their annual contribution of sick leave days provided to them at no cost by the City under the current sick leave accrual plan. The City will bear only the necessary administrative cost of the Sick Leave Bank.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: FAMILY AND MEDICAL LEAVE (FML) (4.11)

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**City of
Norfolk**

EFFECTIVE DATE: May 1, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk, as a covered employer, is committed to complying with the Family and Medical Leave Act of 1993 (FMLA), as amended, and all regulations and guidelines administered by the U. S. Department of Labor's (DOL) Employment Standards Administration, Wage and Hour Division.

II. POLICY

This policy provides eligible employees the opportunity to utilize job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

A. Employee Eligibility

To be eligible for Family and Medical Leave (FML) benefits, an employee must:

- have worked for the City for at least 12 months and
- have worked for the City at least 1,250 hours over the previous 12 months

B. Leave Entitlement

Eligible employees are entitled to up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- the birth and care of a newborn child of the employee;
- placement, with the employee, of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition;
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status as a member of the Armed Forces, National Guard or Reserves.

C. Military Family Leave Entitlements

1. Military Caregiver Leave

An eligible employee, who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness, is entitled to up to a total of 26 workweeks of leave during a single 12-month period to care for the servicemember.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: FAMILY AND MEDICAL LEAVE (FML) (4.11)

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Current Servicemember

A covered servicemember is a current member of the Armed Forces, National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating or existed before the beginning of the member's active duty and were aggravated by service in the line of duty on active duty in the Armed Forces.

Veteran of the Armed Forces

A covered servicemember is a veteran discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FML to care for the covered veteran and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.

For any veteran who was discharged prior to March 8, 2013, the period of time between October 28, 2009 and March 8, 2013 will not count as part of the five-year period. As long as the military caregiver leave begins within five years of the veteran's discharge, the 12-month period may extend beyond the five-year period.

For a veteran, a serious injury or illness is one that was incurred by the veteran in the line of duty on covered active duty in the Armed Forces, National Guard or Reserves or that existed before the veteran's covered active duty and was aggravated by service in the line of duty on covered active duty, and that is either:

- a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces, and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank or rating; or
- a physical or mental condition for which the veteran has received a Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater. (The rating may be based on multiple conditions); or
- a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
- an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: FAMILY AND MEDICAL LEAVE (FML) (4.11)

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The single 12-month period for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FML. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period.

2. Qualifying Exigency Leave

An eligible employee is entitled to up to a total of 12 workweeks of leave during the normal 12-month period for FML for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty, or has been notified of an impending call or order to covered active duty. Under the terms of the statute, qualifying exigency leave is available to a family member in the Armed Forces, National Guard or Reserves.

Qualifying exigencies may include:

- Attending certain military events;
- Arranging for alternative child care;
- Addressing certain financial and legal arrangements;
- Attending certain counseling sessions;
- Attending post-deployment reintegration briefings; and
- Rest and Recuperation to a maximum of fifteen (15) calendar days.

FML may be taken intermittently whenever medically necessary to care for a covered servicemember with a serious injury or illness. FML may also be taken intermittently for a qualifying exigency arising out of the covered active duty status or call to covered active duty of a military member. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation.

D. Leave Conditions

FML requested under this policy must be taken within the 12-month period of the qualifying event.

Under some circumstances, employees may utilize FML intermittently, using leave in separate blocks of time for a single qualifying event or on a reduced leave schedule reducing the employee's usual weekly or daily work schedule.

Employee's certification must clearly define expected periods of intermittent leave. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: FAMILY AND MEDICAL LEAVE (FML) (4.11)

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When spouses are both employed by the City and request leave under this policy, their aggregate leave is limited to twelve (12) weeks or twenty-six (26) weeks for care of a servicemember in a single 12-month period.

Eligible employees must use (run concurrently) available accrued paid leave (i.e., sick, annual, compensatory, holiday leave) to cover some or all of the FML. An employee's ability to use accrued paid leave is determined by the terms and conditions of the City's normal leave policy. Use of flexible or alternative work schedules beyond scheduled working hours will not be allowed to adjust FML.

E. Job Restoration

Generally, any employee who takes leave under the FMLA is entitled to return to his or her position, if available, upon completion of the leave. If the position is unavailable, the employee is entitled to a "genuinely equivalent" position, with equal pay, benefits, status and other conditions of employment previously enjoyed.

F. Outside Employment

Employees engaged in previously-authorized other employment must obtain authorization to continue in said employment during the approved FML absence.

III. PROCEDURE

Notice and Certification

A. Employee Notice

An employee seeking to use FML is required to provide thirty (30) days' advance notice of such leave. If the employee is unable to provide thirty (30) days' notice, he or she must provide such notice as is practical, generally, either the same or next business day and must comply with the employee's departmental call-in procedures. Absent unusual circumstances, employees must comply with the City's procedural requirements for requesting leave.

An employee must provide sufficient information in order for the City to reasonably determine whether the FMLA may apply to the leave request. Any requested certification must be completed and provided to the City within fifteen (15) calendar days. If the employee is notified that necessary information is missing from the certification, the missing information must be provided within seven (7) calendar days.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: FAMILY AND MEDICAL LEAVE (FML) (4.11)

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B. Employer Notice

When an employee requests FML or knowledge is acquired by the City that leave may be for a FMLA purpose including periods of time for which the employee receives Workers' Compensation benefits, the employee must be notified within five (5) business days of eligibility and informed of rights and responsibilities under the FMLA.

When information has been received to determine whether or not the event qualifies for FML, the employee must be notified within five (5) business days of the status of the request.

All FMLA medical certification and notice forms will be obtained from the Department of Labor website, www.dol.gov/whd/fmla or a local DOL office.

C. Certification

Employee Leave:

Employees requesting FML must provide sufficient information for the City to reasonably determine whether the FMLA may apply to the leave request. An employee's certification must include:

- the date the serious health condition began
- the probable duration of the condition
- appropriate supporting medical facts concerning the condition

If the leave is based on the employee's own condition, the certification also must affirm his or her inability to perform his or her job. Where the leave is necessitated by care of a spouse, son, daughter or parent, it must be certified that the employee is needed to provide this care.

Military Caregiver Leave:

Employees requesting military caregiver leave must provide certification supporting the leave request that includes:

- contact information for the authorized health care provider completing the certification, the type of medical practice or specialty, and affiliation with the military, if any
- whether the injury or illness was incurred or aggravated by service in the line of duty on active duty, when it began or was aggravated, and its likely duration
- a statement of appropriate facts regarding the servicemember's health condition sufficient to support the need for FML

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TITLE: FAMILY AND MEDICAL LEAVE (FML) (4.11)

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- information to show that the servicemember needs care and estimates for the period and dates of treatment or recovery needed
- if care is needed intermittently or on a reduced schedule, the schedule of treatments or appointments, or an estimate of the frequency and duration of the periodic care
- employee's name, the name of the servicemember, and employee's relationship to the servicemember
- information on the servicemember's branch, rank, and unit assignment or the veteran's date and type of separation

When the City has reason to doubt the validity of a medical certification, the City may require a second opinion. Selection of the new physician is subject to the City's approval. If the two health care providers disagree, the City may require the opinion of a third jointly approved medical provider who shall be the final authority on the question. Second and third opinions are at the City's expense and the City may not use a health care provider it employs on a regular basis. The City may also require the employee to obtain subsequent recertification on a reasonable basis.

Military Exigency Leave:

Employees requesting military exigency leave must provide sufficient information and certification supporting the leave request that includes:

- a copy of the servicemember's active duty orders
- statement or description of facts regarding the qualifying exigency
- date of qualifying exigency and beginning and ending dates of requested leave, or frequency and duration of intermittent leave
- contact information for third party involved with qualifying exigency
- if the qualifying exigency is for Rest and Recuperation, a copy of the servicemember's leave orders or other leave documentation

D. Maintenance of Health Benefits

The City will maintain the employee's group health coverage during the approved leave of absence at the same level of contribution as provided prior to the period of absence.

The employee will be responsible for his/her portion of the premium if he/she wishes to maintain health care coverage. The employee's portion of the premium will continue to be deducted from his/her pay when the employee is on a paid leave of absence. An employee on an unpaid leave of absence will be responsible for direct payment of his/her portion of the premium to the City.

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IV. DEFINITIONS

- A. FML – Family Medical Leave
- B. 12-month period – measured forward from the date any employee's first FML begins
- C. 12 workweeks – workweeks are defined by the City in accordance with the Fair Labor Standards Act (FLSA)
- D. Qualifying Exigency – broadly defined as short-notice deployment, military events and related activities, arranging for alternative child care, financial and legal arrangements, attending certain counseling sessions, rest and recuperation, or post-deployment reintegration activities
- E. Serious Health Condition – an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.
- F. U. S. Department of Labor FMLA Form(s) – available on the DOL website, <http://www.dol.gov/whd/fmla>

V. RESPONSIBILITY

A. Employees

Employees are responsible for requesting a leave of absence in accordance with established leave policies and providing sufficient documentation utilizing the appropriate DOL FMLA form(s). Additionally, employees must provide status updates as necessary.

Employees engaged in other employment must request approval to continue other employment while on approved FMLA leave.

B. Supervisors/Managers

Supervisors/Managers are responsible for ensuring all requests for FMLA leave are processed in accordance with established leave policies and in a timely manner. All FMLA related documentation must be forwarded to the Department of Human Resources.

C. Human Resources

The Department of Human Resources is responsible for providing policy administration, guidance, and compliance.

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VI. HISTORY

Replaces Policy Number 4.11, Family and Medical Leave, Issued January 1, 2004, Revised January 16, 2009, Revised August 3, 2009.

VII. AUTHORITY

- A. This policy has been established by the City Manager, in accordance with the provisions of the Family and Medical Leave Act.
- B. In the event of any conflict between this policy and the Family and Medical Leave Act, the latter takes precedence.



**City of
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PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.12**

Date Issued

Subject:

4.12

Reserved for future use.

Policy and Administrative Regulations

CHAPTER 4: HUMAN RESOURCES

TITLE: TUITION ASSISTANCE POLICY (4.14)

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**City of
Norfolk**

EFFECTIVE DATE: July 1, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marc D. Jones", written over a horizontal line.

I. PURPOSE

The Tuition Assistance Program is established to encourage employees toward continued self-development and education. This program of individual-focused learning is intended to support the City's priority of Lifelong Learning. Norfolk encourages employees of all ages to reach their full potential, achieve personal goals, and support a prosperous economy through the development of knowledge, skills, abilities, and talents.

II. POLICY

A. The City of Norfolk will provide tuition assistance for employees who meet the indicated requirements and conditions.

B. ELIGIBILITY REQUIREMENTS:

1. Permanent classified and unclassified City employees who have completed six (6) months of continuous service.
2. Applicants' school of enrollment must be listed as an "Accredited Institution of Higher Education" in one of the following categories:
 - a. Evening school or other similar part time courses offering college credit;
 - b. Group training in conjunction with an accredited institution of higher learning and providing college credit for the course involved;
 - c. College or technical courses sponsored by an accredited school but not carrying academic credit.

C. CONDITIONS AND LIMITATIONS OF TUITION ASSISTANCE:

1. Each course must be related to the applicant's present position or a reasonable promotional objective with the City. All courses must be taken through an accredited technical or vocational center, high school, college or university.
2. Tuition Assistance will apply to tuition fees only. Tuition assistance will not be provided for laboratory fees, textbooks, supplies, transportation, parking decals, registration, etc.
3. All tuition assistance requests must be submitted to the employee's immediate supervisor and department director in advance and approved before classes begin. Failure to submit the request in a timely manner may cause it to be denied.
4. When applying for tuition assistance, employees must disclose any form of educational assistance (e.g., grants, scholarships, assistance from State or

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CHAPTER 4: HUMAN RESOURCES

TITLE: TUITION ASSISTANCE POLICY (4.14)

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- Federal agencies, etc.) they have or will receive for specified courses. Educational assistance that has been applied to tuition expenses may reduce the amount of tuition assistance provided to employees. Student loans will not preclude an employee from receiving tuition assistance.
5. Tuition assistance does not cover dropped courses or unapproved course changes.
 6. Employees must attain the grade of "C", "S" (Satisfactory Completion), "P" (for "pass" if grading is on a pass/fail scale) or better for tuition assistance for undergraduate courses and the grade of "B" or better for graduate courses.
 7. The maximum amount of tuition assistance that an employee can receive for any fiscal year is governed by two caps. Assistance will not exceed, at any time:
 - a. the rate of \$100 per credit hour for undergraduate coursework; \$125 per credit hour for graduate coursework or technical courses.
 - b. a maximum number of credit hours per fiscal year: 9 credit hours for undergraduate coursework or 6 credit hours for graduate coursework.
 8. The City will provide tuition assistance for all approved tuition applications that meet the criteria established within this policy; however, if funds become limited for tuition assistance, the City may cease accepting applications. The City may reduce or discontinue the tuition benefit at any time.
 9. Employees who participate in this benefit will sign an agreement to complete up to two years of service with the City. The terms are as follows:
 - a. Employees who leave the City within one year following receipt of tuition assistance, for any reason other than a reduction in force, will be required to repay 100% of the tuition funds they received for classes taken within the prior two years;
 - b. Employees who leave the city after one year but before two years following receipt of tuition assistance, for any reason other than a reduction in force, will be required to repay 50% of the tuition funds they received for classes taken within the prior two years.
 10. Employees must attend courses and complete coursework outside of normal working hours. If adjustments to work hours are necessary for course times, the employee must receive approval from the supervisor and department head prior to the start of the course.
 11. The City Manager is authorized to make exceptions to the conditions and limitations of tuition assistance when such exceptions support the continuous growth and development of employees who have demonstrated exceptional performance.

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CHAPTER 4: HUMAN RESOURCES

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**City of
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D. TUITION REIMBURSEMENT

While tuition reimbursement will be the primary method for tuition assistance, under special circumstances the City Manager may authorize advanced payment of tuition funds. If an employee seeking tuition assistance determines that upfront payment of tuition will create a financial hardship and deter him/her from registering for a continuous learning opportunity, the employee may request tuition advancement. Tuition advancement requests must be approved by the Department Head and City Manager (or designee). Any employee who receives tuition advancement and does not meet the conditions and limitations established in Section II.C. above will be required to repay the City for advanced tuition funds.

III. PROCEDURE

- A. Applicants must submit a completed Tuition Assistance Application providing all information requested. Incomplete applications may be subject to disapproval.
- B. All applicants will sign a tuition agreement to repay tuition funds in the event the terms set forth in the policy are not met.
- C. The application and agreement must be approved by the immediate supervisor and department director prior to the first day of class.
- D. Employees are responsible for immediately notifying their respective department as well as the Department of Human Resources of any academic changes, including but not limited to dropping a course, changing courses, or changing beginning or ending dates. All changes will require the approval of the immediate supervisor and department director. Failure to do so may result in the forfeiture of tuition reimbursement funds.
- E. A legible copy of the official transcript or grade report and a paid receipt for an approved course must be submitted for reimbursement within ten (10) calendar days of the ending date of the course. Any transcript/grade for completion of courses and receipts received after this time may be subject to disapproval. Reimbursement will be denied for final grades of coursework not approved on the original Tuition Assistance Application.
- F. Reimbursement checks will be mailed to the employee's home address, unless otherwise instructed by the employee.

IV. RESPONSIBILITIES

A. Human Resources

Human Resources administers the tuition assistance program, has final approval on all tuition disbursements and has the responsibility to notify the employee and City Attorney's Office when an employee leaves the City before 2 years have passed from receipt of reimbursement, so that tuition funds can be recovered.

B. Supervisors and Department Directors

Supervisors and department directors have the authority to approve tuition assistance applications, ensure that submitted courses are relevant to the employee's job or a reasonable

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TITLE: TUITION ASSISTANCE POLICY (4.14)

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promotional objective, and determine that the classes will not interfere with the operations of the department.

C. Employees

Employees have the responsibility of initiating the tuition assistance application process and complying with all terms stated in this tuition policy and the tuition agreement. Failure to do so may result in forfeiture of tuition benefits.

V. HISTORY

This policy replaces Personnel Administrative Policy 4.14 dated January 1, 2004 revised July 1, 2009.

VI. COMPLIANCE/REPORTING

This policy has been established by the Department of Human Resources. City Code Section 2-43.1 governs this policy. City Code Section 2-43(b) provides department directors the authority to execute tuition assistance agreements on behalf of the City.

VII. AUTHORITY

Modifications to this policy shall be the responsibility of the Department of Human Resources.



**City of
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PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.15**

**Date Issued
1 January 2004**

**Subject:
EMPLOYEE HEALTH
CARE**

4.15 EMPLOYEE HEALTH CARE

Health Care Plans

The City of Norfolk offers one or more medical and dental plans for its permanent full-time and permanent part-time employees. Special Project and substitute employees may participate in these plans only if the City ordinance that created their positions authorizes such enrollment.

Materials outlining the benefits of each plan are distributed annually to each eligible employee during an open enrollment period.

Several types of coverage are available; for each, the City may pay a portion of the employee's cost, up to a specified amount. Details of the plans offered, including eligibility requirements, coverage, and fees are described in the Employee Benefits Booklet distributed during open enrollment by the Human Resources Department. Any questions concerning health care coverage may be referred to the Benefits section of the Human Resources Department.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.16**

**Date Issued
1 January 2004**

**Subject:
VRS**

4.16 VRS Group Life Insurance (Virginia Retirement System)

Participation in this insurance program is a condition of employment (that is, it is mandatory). Employees cannot withdraw from the program unless they leave City employment. This program provides group life insurance without a medical exam. Benefits include natural death benefits, double indemnity for accidental death, and dismemberment payments for accidental loss of one or more limbs or of eyesight. The program provides paid-up insurance for a portion of coverage after retirement. It must be remembered that VRS regulations and policies are controlling as to rights and benefits under this program.

All active, permanent full-time employees (and special project employees who enter the City's retirement system after two years of service and are under 70 years of age) must enroll in the program. The amount of insurance coverage is based on salary. The natural death benefit is twice the current annual salary rounded to the next \$1,000. (Example: A annual salary of \$15,200 is rounded to \$16,000 x 2 = \$32,000 death benefit). The coverage for accidental death is double the natural death benefit (\$64,000 in the example).

Under the plan all employees who retire with five or more years in the City's retirement system continue to receive insurance without paying any further premiums. The life insurance coverage reduces by 25% annually until coverage reaches 25 percent of the original value. (Using the \$32,000 death benefit example, this would be \$8,000).

Employees who retire with a disability receive full coverage until age 65, at which time the above reduction begins until 25 percent of original value is reached. The accidental death and dismemberment benefits stop upon retirement for any reason.

If employment is terminated prior to retirement, the life insurance may be converted to an individual policy, if application is made within 31 days after termination. On termination the employee may contact the Department of Human Resources for assistance.



**City of
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PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.17**

**Date Issued
1 January 2004**

**Subject:
OPTIONAL VRS
GROUP LIFE
INSURANCE**

4.17 – Optional VRS Group Life Insurance

The VRS Optional Plan provides employees a way to supplement the Basic group life and accidental dismemberment coverage provided by the City through the Virginia Retirement System (VRS). It also provides a way to elect insurance on one's spouse and children. The benefits are the same as for the Basic insurance. Premium payments are payroll deducted.



**City of
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PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.18**

**Date Issued
1 January 2004**

**Subject:
DEFERRED
COMPENSATION**

4.18 DEFERRED COMPENSATION

The City of Norfolk makes available to its employees an IRS 457 deferred compensation program administered through the International City Manager's Association-Retirement Corporation (ICMA-RC). Any employee may participate in this program. However, there are specific restrictions and employees considering this program should contact the Department of Human Resources for additional information.



**City of
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PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.19**

**Date Issued
1 January 2004**

**Subject:
REIMBURSEMENT
ACCOUNTS**

4.19 HEALTH CARE & DEPENDENT CARE REIMBURSEMENT ACCOUNTS

Most employees are eligible to participate in the City's reimbursement accounts. These accounts allow tax free reimbursement of eligible health and dependent care expenses.

Health Care Reimbursement Account

With the Health Care Reimbursement Account, employees can use before-tax dollars to pay for medical and dental expenses not covered under any health plan. They can set aside \$120 to \$4,000 at the start of each plan year (October 1 through September 30) in their account for qualified expenses. The money set aside is taken out in equal amounts from each pay check.

Dependent Care Reimbursement Account

The Dependent Care Reimbursement Account allows employees to set aside money (\$120 to \$5,000) before taxes are taken out. The money set aside at the start of each plan year (October 1 through September 30) is taken out in equal amounts from each pay check. Employees can use this money for dependent or child care expenses.

Deadlines

Employees have until December 31 during each year to submit claims for medical or dependent care services they had during the plan year. **Any money left in these accounts after all claims have been filed will be forfeited.**

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: DROP POLICY (4.2)

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**City of
Norfolk**

EFFECTIVE DATE: July 1, 2014

POLICY ORGANIZATION: Department of Finance

APPROVAL

I. PURPOSE

The City of Norfolk is committed to providing benefits to our employees in support of operating as a well-managed organization. The Deferred Retirement Option Program (DROP) is an optional public safety program of the Norfolk Employee's Retirement System (NERS).

II. POLICY

The Deferred Retirement Option Program allows policeman and firemen to accrue retirement benefits while continuing to work for up to four (4) years.

III. PROCEDURE

A. Eligibility

Any Policeman or Fireman member in service of the City of Norfolk Employee's Retirement System who has attained his normal service retirement age may elect to participate in the DROP. The DROP employee will be considered to be a retired member for all purposes related to the Retirement System. Normal service retirement for public safety plan members is earned under either of the following conditions:

1. 25 years of Norfolk public safety service; or
2. 55 years of age and at least 5 years of Norfolk public safety service.

B. Enrollment

To enroll in DROP, a member must submit a retirement application to the NERS office at least 30, but no more than 90, days prior to the member's proposed DROP entry date.

C. DROP Period

A policeman or fireman who is eligible for normal service retirement may elect to defer receipt of his retirement benefits for up to four (4) years and continue employment with the city, but shall not accrue additional retirement credit during the DROP period. Participation in the DROP is irrevocable. The end of the DROP period will be the DROP employee's exit date.

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CHAPTER 4: BENEFITS

TITLE: DROP POLICY (4.2)

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D. DROP Benefit

The DROP benefit is seventy percent (70%) of the DROP employee's monthly retirement allowance. During the DROP period, a DROP benefit accrues, but all funds remain with NERS. At the conclusion of the DROP period, the accrued DROP benefit is paid to the member (or beneficiary) as a lump-sum payment.

E. Cost of Living Increases and Supplements

The DROP member is eligible for applicable cost of living increases (COLA) or supplements awarded to City of Norfolk retirees. In the event of a COLA, the member's DROP benefit will be adjusted from the effective date of the COLA forward. COLAs will not be applied retroactively.

F. Active Employee Compensation

During the DROP period a member will continue to be eligible for compensation increases. Any additional compensation earned during the DROP period will have no effect on the member's DROP benefit, or on the member's normal retirement benefit.

G. Annual Leave and Sick Leave Accrual

The DROP employee's unused sick leave balance is added as service time upon retirement for the purpose of determining the retirement benefit. During the DROP period, the DROP employee will accrue sick leave; however, accrual during the DROP period will not be added as service time at the conclusion of the DROP period.

All other leave will continue in accordance with the Leave Policy #4.1.

H. Termination/Death/Disability During DROP Period

If the DROP employee's employment with the City is terminated before the end of the DROP period, the DROP account balance will be paid to the DROP employee.

If the DROP employee dies during the DROP period, the DROP benefit will be paid in accordance with City Code Section 37-72 if there is an eligible spouse or dependent child.

If the DROP employee is disabled under accidental disability during the DROP period, the DROP employee can elect to receive either:

1. The accidental disability retirement allowance, forfeiting the DROP account balance; or
2. The normal service retirement allowance in addition to the DROP account balance.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

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I. Health and Life Insurance

During the DROP period, the member is considered an active city employee for determination of health and life insurance eligibility.

IV. RESPONSIBILITY

A. Eligible Employees

Eligible employees are responsible for adhering to the guidelines established in this policy to include compliance with identified timeframes.

B. Finance/Retirement Bureau

The Department of Finance/Retirement Bureau is responsible for policy administration, guidance, and compliance.

V. HISTORY

N/A

VI. AUTHORITY

Ordinance No. 45,566

Norfolk City Code Section 37

VII. REGULATION UPDATE

Modifications to this policy shall be the responsibility of the Department of Finance under advisement of the City Manager.

City of Norfolk
2015 Deferred Retirement Option Program (DROP)
Frequently Asked Questions (FAQ)

Program Overview

What is the Deferred Retirement Option Program (DROP)?

The DROP allows eligible sworn Police and Fire-Rescue employees to establish a defined retirement date and continue to work for the City of Norfolk for a deferred retirement period of up to four (4) years. During this deferred retirement period a DROP benefit will accrue and will be paid to the employee in a lump-sum upon separation from the City.

What is my employment status after entering the DROP?

Employees are considered to be retired for all purposes related to the Retirement System.

What if I separate employment prior to the full term of the DROP period?

A member may be separated during the DROP period. The DROP account balance will be paid to the employee or eligible benefit recipient (if applicable) following separation.

Eligibility

Who is eligible to participate in the DROP?

Sworn Police or Fire-Rescue employees who meet normal service retirement under the following conditions:

- 25 years of Norfolk public safety service; or
- 55 years of age and at least 5 years of Norfolk public safety service.

DROP Benefit

How are DROP benefits calculated?

The DROP benefit is seventy percent (70%) of the DROP employee's monthly retirement allowance.

Where are DROP benefit funds held?

All DROP funds are held with the Norfolk Employees' Retirement System until the employee separates from the City.

How will my DROP benefits be taxed?

DROP benefits will be taxed as retirement income in the year funds are distributed.

Enrollment

How do I enroll in the DROP?

Eligible employees who wish to enroll in DROP must submit a retirement application to the Norfolk Employees' Retirement System at least 30, but no more than 90, days prior to the employee's proposed DROP entry date. Consistent with all retirements, DROP must begin on the first of the month.

Where can I obtain a retirement application?

Office of Retirement, Room 309, City Hall Building, 757-664-4738, Monday - Friday 8:30 a.m. to 5:00 p. m.

Additional Questions

How will my DROP benefit be paid?

The DROP benefit will be paid as a lump-sum payment upon separation of employment.

What if I change my mind, can I terminate my participation in DROP?

No, participation is irrevocable after the approved retirement effective date.

Can I continue to work after the established DROP period?

No, employees participating in DROP will be separated from employment at the end of the established DROP period.

City of Norfolk
2015 Deferred Retirement Option Program (DROP)
Frequently Asked Questions (FAQ)

Can I modify the established DROP period? For example, if I elect a two (2) year DROP period, can I extend this period up to the four (4) year maximum?

No, all changes must be made prior to the retirement effective date.

Once I enter the DROP, will my retirement contributions continue?

No, your contribution to the retirement system will cease upon DROP entry.

Do I continue to accrue service credit with the Norfolk Employees' Retirement System during the DROP period?

No, you are considered retired on the retirement effective date.

Are there distribution options for the DROP lump-sum payout?

No, you will receive one lump-sum payment.

Will I continue to receive compensation increases during the DROP period?

Yes, DROP participants will be eligible for compensation increases. Any additional compensation earned during the DROP period will have no effect on the participant's DROP benefit or normal retirement benefit.

Will I continue to be eligible for health benefits with the City?

Yes, during the DROP period participants will be considered active City employees and eligible for health benefits.

How does enrollment in DROP effect sick and annual leave?

Unused sick leave is added as service credit for retirement purposes upon enrollment in DROP. Annual leave is not affected by enrollment in DROP. All other leave will continue in accordance with the leave policy # 4.1.

Where may I obtain a copy of the DROP policy?

The DROP policy is available on the City of Norfolk's Intranet.

Who do I contact for additional information about the DROP?

Office of Retirement, Room 309, City Hall Building, 757-664-4738, Monday - Friday 8:30 a.m. to 5:00 p. m.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.20**

**Date Issued
1 January 2004**

**Subject:
LONG-TERM
DISABILITY**

4.20 LONG-TERM DISABILITY PLAN

Employees may participate in a Long Term Disability Plan that provides assistance in the event that the employee is unable to work due to illness or injury. The premium is paid by the employee and coverage begins 90 calendar days after an illness or injury occurs. The disability plan pays up to 66 2/3% of the employee's salary. The benefit payments will be offset by other sources of income for which an employee is eligible, such as Worker's Compensation and Social Security. Payments will also be offset by any sick and annual leave received.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.21**

**Date Issued
1 January 2004**

**Subject:
RETIREMENT
BENEFITS**

4.21 RETIREMENT BENEFITS

When an employee reaches retirement age or becomes totally and permanently incapacitated for the further performance of duty, the City's retirement program provides pensions and financial income to these once active workers, if they are eligible. The City government alone finances the cost of this pension program. Thus, it ranks as the most important of the many fringe benefits to which employees are entitled.

An explanation of the eligibility requirements and of each form of benefit is provided, along with illustrations of their computation, in a separate booklet prepared for employees by the Board of Trustees of the Employees' Retirement System, Third Floor (Room 309) City Hall. (City Code Section 37-I, et.. seq).



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.22**

**Date Issued
1 January 2004**

**Subject:
CREDIT UNIONS**

4.22 CREDIT UNIONS

There are two separate credit unions for City employees: one for general and Police employees, and one for Fire-Rescue sworn employees. To become a member of one of the two available credit unions, a person must be an employee of the City. Employment assignment determines which credit union an employee may join.

If an employee is interested in becoming a member of a credit union, he or she should contact the staff of the credit union to obtain an application and a pamphlet that fully explains what provisions and services are provided. An employee's supervisor can refer those interested to the proper individuals.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
4.23**

**Date Issued
1 January 2004**

**Subject:
UNEMPLOYMENT
COMPENSATION
BENEFITS**

4.23 UNEMPLOYMENT COMPENSATION BENEFITS

Whenever a person is separated from employment with a City agency or any other Virginia employer, he or she may be eligible to receive unemployment compensation benefits. To apply for these benefits, a person must go to the Virginia Employment Commission.

A person who is laid off from employment due to lack of funding or is subject to a Reduction-In-Force is generally considered eligible for unemployment compensation by the Virginia Employment Commission. However, Section 60.1-58(b) of the Virginia Unemployment Compensation Act provides that an individual shall be disqualified if it is found that such an individual has become unemployed as a result of misconduct in connection with work. Misconduct exists when it is shown that there was a willful, wanton, or substantial disregard of the employer's interests or standards of behavior that the employer has the right to expect of an employee.

Any questions concerning the Unemployment Compensation Act should be directed to the Virginia Employment Commission.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: EMPLOYEE ASSISTANCE POLICY (4.24)

Page 1 of 4



EFFECTIVE DATE: January 1, 2015

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk is committed to providing employees access to an Employee Assistance Program (EAP) which provides short-term problem-solving and referral services. This program focuses on helping employees maintain life balance so personal problems do not adversely affect job performance.

II. POLICY

The City recognizes that employees may be confronted by a broad range of issues which may not be directly associated with their job, but which may have a negative impact on an employee's work performance.

The EAP provides services designed to assist employees, managers, and the organization meet life challenges and remain healthy, engaged, and productive. The EAP provides short-term counseling and referral services for employees and members of their households.

Employees are encouraged to assume responsibility for remediation and/or treatment of personal problems. The EAP is a benefit offered to employees and provides services at no charge; however, some referral services will be at the expense of the employee. Managers and supervisors are also responsible for ensuring a safe and productive work environment; therefore, there may be circumstances where employees may be formally referred to participate in this benefit.

III. PROCEDURE

Services

The City contracts with an independent organization to provide a range of services including, but not limited to, assistance with:

- Life changes – marital/family distress, family additions, aging parents, grief and loss, retirement
- Life challenges – drug/alcohol abuse, depression, mental illness, financial concerns, legal concerns
- Job performance – new job, deteriorating job performance, job stress, burnout
- Coping with challenging situations or conflict

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: EMPLOYEE ASSISTANCE POLICY (4.24)

Page 2 of 4



Overall work performance includes attendance, business conduct, productivity and quality of work. Employees exhibiting behaviors that have an adverse effect on individual, work group, management, or organizational performance or are a violation of policy are encouraged to seek or may be referred to the EAP.

Behaviors that may indicate a need for EAP services include, but are not limited to:

Work performance deficiencies

- Increased absenteeism – unexcused absences
- “On the job” absenteeism – continued absences from assigned work area
- Concentration problems – work requires greater effort
- Confusion – difficulty recalling instructions and details
- Inconsistent work patterns – extremes of high/low productivity
- High accident rate
- Lowered job efficiency – missed deadlines, increased number of errors

Conduct deficiencies

- Friction with other employees, superiors, customers, or members of the community
- Unusual behavior – expression of a temper or anger, changes in mood or engagement

Types of Referrals

A. Self-Referral

An employee voluntarily seeks the services of the EAP. The employee or household member makes direct contact with the EAP without the recommendation of the City. EAP appointments may be scheduled on personal time or an employee may utilize available accrued leave for counseling sessions. Leave must be approved in accordance with applicable leave policies and procedures.

B. Informal Referral

A manager or supervisor recommends that an employee seek EAP services when the employee’s performance, conduct, or attendance has begun to deteriorate, or when the manager or supervisor learns information that suggests that the EAP might be of assistance to the employee. EAP appointments may be scheduled on personal time or an employee may utilize available accrued leave for counseling sessions. Leave must be approved in accordance with applicable leave policies and procedures.

C. Formal Referral

A manager or supervisor formally refers an employee to the EAP based upon demonstrated deficiencies in the employee’s performance, conduct, or attendance.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: EMPLOYEE ASSISTANCE POLICY (4.24)

Page 3 of 4



Formal Referral Steps

- Manager/supervisor consults with Human Resources
- Manager/supervisor completes Formal Referral form
- Manager/supervisor meets with employee to discuss concerns and provides employee with the Formal Referral form and the Authorization Form: Formal Referral
- Manager/supervisor directs the employee to contact the EAP with 24 hours; it is the employee's responsibility to schedule an appointment
- Manager/supervisor calls the EAP to initiate the process; provides the employee's name, the reason(s) for referral, and the referral expectations
- Manager/supervisor faxes the signed Authorization Form: Formal Referral to the EAP's Formal Referral Team
- Manager/supervisor forwards original Formal Referral form and Authorization Form: Formal Referral to Human Resources
- EAP assesses situation and implements appropriate service(s)

Employees who are offered an opportunity for alcohol/drug rehabilitation will receive a formal referral to the EAP for assistance with identifying and establishing the appropriate rehabilitation program.

Time traveling to and from the EAP counselor's office and time spent in consultation will be counted as time worked, providing the appointment takes place during the employee's normal working hours.

Employees may be required to provide documentation to substantiate verification of meetings and/or compliance with recommended treatment plans.

Failure of an employee to comply with a formal referral, as well as, fully cooperate, participate and comply with any instructions of the referral agency may be subjected to disciplinary action in accordance with the Corrective Action Guidelines and Procedures, Policy No. 8.3.

Confidentiality

The EAP is confidential. Information regarding an employee's utilization of program services can only be released with prior written consent of the employee. The EAP will not report the details of your sessions to anyone. There are certain restrictions on this confidentiality, such as mandated reporting for child or elder abuse, that the EAP will inform you about at the beginning of your session.

Policy and Administrative Regulations

CHAPTER 4: BENEFITS

TITLE: EMPLOYEE ASSISTANCE POLICY (4.24)

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IV. RESPONSIBILITY

A. Employees

Employees are responsible for:

- Assuming responsibility for personal and workplace problems which may have an adverse impact on work performance.
- Complying with the guidelines established in this policy.

B. Supervisors/Managers

Supervisors/Managers are responsible for:

- Observing and documenting employee behaviors that are having an adverse impact on work performance.
- Consulting with Human Resources on related matters.
- Maintaining confidentiality.
- Supporting and adhering to the guidelines established in the policy.

C. Human Resources

The Department of Human Resources is responsible for:

- Promoting resources.
- Providing consultation and training regarding the effective utilization of the EAP.
- Oversight and administration of this policy.

V. HISTORY

Replaces Employee Assistance Policy, Policy Number 4.24, Issued July 15, 2014.

VI. AUTHORITY

This policy has been established by the City Manager.

VII. REGULATION UPDATE

Modifications to this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.

Policy and Administrative Regulations

CHAPTER 4: HUMAN RESOURCES

TITLE: SPECIAL OVERTIME PROVISIONS (4.25)

Page 1 of 2



**City of
Norfolk**

EFFECTIVE DATE: July 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk's General Compensation Plan provides that paid time off not required by the Fair Labor Standards Act (FLSA) or State law will not be counted as hours worked toward achieving eligibility for overtime status, unless authorized by the City Manager or designee. This regulation outlines related considerations.

II. POLICY

This policy applies to non-exempt general employees. The City recognizes that there are certain circumstances which may result in increased staff hours. These circumstances are considered as:

- unforeseen and unavoidable situations that may temporarily impact City operations, or
- undeclared emergencies that may impact the public's well-being, or
- special non-reoccurring events may be considered, e.g. OpSail, dignitary visitation, street races, etc.

Based on evaluation of the circumstances, the City Manager (or designee) may approve compensation at one and one-half times the regular rate of pay for hours worked over 40 in a work week, in situations where employees utilized annual leave or holiday leave which would not normally qualify toward achieving FLSA overtime eligibility.

III. PROCEDURE

Approved requests seeking the City Manager (or designee(s)) authorization for special overtime provisions shall be submitted to the Department of Human Resources for record-keeping.

Requests should include:

1. an explanation of the specific situation(s) or event(s)
2. names, ID numbers and/or classifications of impacted employees and/or work groups.

IV. RESPONSIBILITY

A. Human Resources

The Department of Human Resources is responsible for providing policy guidance and implementing applicable pay adjustments.

Policy and Administrative Regulations

CHAPTER 4: HUMAN RESOURCES

TITLE: SPECIAL OVERTIME PROVISIONS (4.25)

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**City of
Norfolk**

B. Department Directors

Department directors are responsible for reviewing requests in a timely manner and ensuring that funding is available to provide approved adjustments.

C. Managers and Supervisors

Managers and supervisors are responsible for:

- submitting information to the department director that may result in consideration of a pay adjustment,
- ensuring that the reported hours worked are accurate,
- ensuring that payroll staff receive documentation affecting employee pay in a timely manner.

D. Employees

Employees are responsible for ensuring that hours are accurately documented and/or reported in accordance with departmental policies and procedures.

V. HISTORY

Replaces Policy No. 4.25, Special Overtime Provisions, Issued June 23, 2012.

VI. AUTHORITY

Modifications to this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.0**

**Date Issued
1 January 2004**

**Subject:
EMPLOYEE
GENERAL POLICIES**

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EMPLOYEE GENERAL POLICIES

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Relations Committee (5.1)

Page 1 of 5



**City of
Norfolk**

EFFECTIVE DATE: November 1, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City strives to foster an atmosphere of mutual trust, harmony and respect among our employees and the citizens we serve. The City recognizes the importance of communicating with its employees and that effective internal communication and consultation are vital for achieving the City's goals, vision and objectives. Therefore, the City encourages consultation with employees in communicating and supporting employee interests.

II. POLICY

As a well-managed government, the City Manager has established the Employee Relations Committees (ERC), whose members will serve as a liaison for effective communication between the City and its employees.

It is the policy of the City to consider the wants and needs of both its employees and its citizens with respect to the conditions of public employment. Prior to the annual budget recommendation, the City Manager or designee will meet with the ERC representatives to listen to their interests and concerns relating to compensation, benefits, working conditions, staffing levels and efficiency.

This policy or City Code does not contain anything that will:

- limit the rights and remedies of the City under any state or federal law or before any court or tribunal of competent jurisdiction
- ordain any committee, committee representative or employee group with legislative power or the authority to negotiate

In accordance with the provisions of Virginia law and City Code, employees or employee groups can not engage in or encourage any work stoppages.

III. PROCEDURE

Only active, regular, full-time employees in good standing in a non-supervisory capacity are eligible to vote and serve on the Employee Relations Committees (this excludes members of the Office of Budget and Grants Management). Eligible employees will be nominated and elected in each department or subdivision, or in groupings of departments, as ERC representatives to complement communication and express the wants and needs of City employees to the City Manager or designee.

- A. The size, composition, form and tenure of the committees will be prescribed by the City Manager.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Relations Committee (5.1)

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**City of
Norfolk**

1. Each ERC will consist of at least three and no more than six representatives. The City Manager may appoint additional committee representatives in excess of the six if needed.
 2. Elections will be conducted through a neutral party.
 3. ERC representatives will not be permitted to sit more than (3) three years without another election being held.
- B. The City Manager may appoint replacement members for employees who resigned or have been removed, pending an election.
- C. Committees will establish their own officers and procedures.
- D. No meeting of committees or committee members will be on paid time, unless approved by the City Manager in advance.
- E. The City Manager or designee will schedule three (3) meetings per fiscal year with each employee committee to meet and confer with ERC representatives to listen to the views and concerns of all City employees.
- Meetings will be no less than ninety (90) days apart and no more than three (3) hours each.
- F. Subject to the law and reasonable rules of order established by the City Manager, ERC representatives will be free to speak on topics of compensation, benefits, working conditions, staffing levels, efficiency and reasonably related matters.
- G. In accordance with Sec. 2.1-40, of Norfolk's Code of Ordinances, the City Manager has the authority to make and promulgate additional rules and regulations as may be necessary to carry out this policy.

IV. RESPONSIBILITY

All employees must conduct themselves in accordance with the requirements of the Business Conduct Policy and behave responsibly, use good judgment, display appropriate workplace behavior and demonstrate the City's core values at all times.

A. Employees

Employees are responsible for adhering to the guidelines established in the policy, to include expressing concerns relating to compensation, benefits, working conditions, staffing levels, efficiency and reasonably related matters to their ERC representative.

B. ERC Representatives

ERC Representatives are responsible for adhering to the guidelines established in the policy including:

- Ensuring that all employees have an opportunity to share their input.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Relations Committee (5.1)

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**City of
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- Respectfully representing City employees by sharing ideas, needs, concerns and feedback as they relate to compensation, benefits, working conditions, staffing levels and efficiency.
- Providing honest and accurate information in order to strengthen both managements' and employees' understanding of workplace issues and other matters affecting the City.
- Supporting an atmosphere of mutual trust between employees and management to improve workplace relations.
- Understanding that this role is voluntary and their primary focus should always remain the performance expectations of their assigned classification.
- Being present to receive important updates and information, as well as the timely sharing of that information with employees.
- Adhering to the City's guiding values and expectations when representing employees, sharing information, and offering input.

C. Directors/Managers

Department directors and managers are responsible for adhering to the guidelines established in the policy, including:

- Recognizing the value of employee feedback and communication.
- Allowing reasonable amounts of official time, with preapproval by employees' immediate supervisors, to attend City Manager-sponsored ERC meetings.

D. City Manager

The City Manager, or designee, is responsible for meeting with committee representatives in each department and as a whole to discuss issues relating to compensation, benefits, working conditions, staffing levels, efficiency and reasonably related matters.

The City Manager, or designee, will pay active attention to both the City's employees and its citizens concerning public employment matters as they may relate to compensation, benefits, working conditions, staffing levels and efficiency.

The City Manager may remove a representative who has failed to adhere to this policy and/or other City policies.

V. DEFINITIONS

Compensation - Compensation is the total amount of the monetary pay provided to an employee by an employer in return for work performed as required.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Relations Committee (5.1)

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**City of
Norfolk**

Benefits – In general, non-cash compensation provided to an employee (e.g., health/dental insurance, life insurance, leave).

Working Conditions – Environmental or physical conditions under which work is performed. This includes matters related to health, safety and well-being (e.g., air quality, noise pollution, risk of injury, equipment).

Staffing Levels - The number and types of positions necessary to meet organizational goals and objectives.

Efficiency - Accomplishment of or ability to accomplish work with a minimum expenditure of resources.

VI. HISTORY

This policy replaces Personnel Administrative Policies 5.1 dated January 1, 2004 and 5.2 dated January 1, 2004 (revised January 31, 2012).

VII. AUTHORITY

City Code Sec. 2.1-39, 40, 41, 42, 43, 44, 45, Employee Relations.

VIII. REGULATION UPDATE

Modifications of this Policy shall be the responsibility of the Department of Human Resources.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Relations Committee (5.1)

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**City of
Norfolk**

Appendix A

EMPLOYEE RELATIONS COMMITTEES

The City of Norfolk has eight employee relations committees to include:

Administrative *
Fire-Rescue
General Services
Human Services

Police
Public Works
Recreation, Parks and Open Space
Utilities

* The Administrative Committee includes the City Attorney's Office; City Manager's Office; Community Services Board; Department of Finance; Norfolk Public Library; City Planning; Department of Development; Department of Communications and Technology; Cultural Facilities, Arts & Entertainment; Emergency Operations and Preparedness Center (EOC); Department of Human Resources; Department of Public Health; Maritime Center (Nauticus); Office to End Homelessness; and the Zoo.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Emergencies and Closings (5.3)

Page 1 of 5



**City of
Norfolk**

EFFECTIVE DATE: November 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "M. D. Jones", written over a horizontal line.

I. PURPOSE

The City of Norfolk is committed to providing the highest quality public service. The purpose of this policy is to provide guidelines to ensure the continuance of essential City services during an emergency or inclement weather conditions. These guidelines include the work status and compensation of City employees during such events.

II. POLICY

The City Manager shall determine the existence of an emergency or inclement weather conditions of such intensity or severity that may threaten or endanger the safety and/or welfare of the community, and as a result may close all or part of the City's buildings or facilities and suspend such operations in order to mitigate the impact of such conditions on City employees, City operations, and the public. The City Manager will determine which City employees will be excused from duty, and which employees will be required to continue to render services.

The compensation of City employees in such circumstances shall be as provided in the regulations for the administration of the City's Compensation Plan.

III. PROCEDURE

Emergency Planning

The Office of Emergency Preparedness and Response will coordinate the response and recovery to emergency and weather related incidents that have disaster potential. Department heads will be responsible for preparing and maintaining updated emergency plans to ensure continued operations and essential services, provided by their assigned department, during emergency and inclement weather events. These plans include the designation of essential and non-essential personnel.

Designations

Emergencies and Closings

Emergencies and closings shall be designated by the City Manager. Emergency and inclement weather designations will be automatically canceled at the end of each day. Announcements will be made at the beginning of each workday if an emergency or inclement weather status remains in effect.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES
TITLE: Emergencies and Closings (5.3)
Page 2 of 5



Essential and Non-Essential Personnel

Department heads will be responsible for designating essential and non-essential personnel within their department and annually providing an updated list of these designations to the Department of Human Resources. Employees are notified at hire of their designation based upon information provided in the annual report to the Department of Human Resources; however, department heads are responsible for notifying employees in writing, as soon as reasonably possible, of a change in their designation. These changes shall be immediately communicated in writing to the Department of Human Resources.

Notices

The designation of an emergency or inclement weather conditions will be communicated through various means to include, but not limited to, the City's website and local news media in a manner best determined to reach the maximum number of employees under the existing circumstances.

Employees are responsible for monitoring the identified communication outlets or checking with their supervisory chain of command for information related to closings and work status.

Emergency Shelters

The Department of Human Services will establish, implement and maintain guidelines and procedures for emergency shelter operations.

All non-essential personnel will provide emergency shelter duties as assigned.

- Department heads will be notified of the need or potential need to open shelters.
- Employees will be given as much advance notice to report for shelter duty as possible based upon the circumstances.
- If notification to report for shelter duty is received during the normal workday, employees may be excused from work to take care of personal matters before reporting, time permitting and based upon operational needs.
- Employees are responsible for arranging for transportation to and from shelter duty.
- Employees must remain on duty at the shelter until being released by the Shelter Manager.
- Employees are responsible for completing American Red Cross shelter training.

Essential personnel may be assigned emergency shelter duties as necessary.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Emergencies and Closings (5.3)

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Exemptions from shelter duty supported by medical certification may be granted by the City Manager, or designee, for the following reasons:

- Personal illness; medical certification shall include the nature of the illness which prevents the employee from carrying out shelter responsibilities.
- Sole caregiver for a child or relative living in the employee's home with an acute illness or disability; medical certification shall substantiate the illness or disability.
- Pregnancy; medical certification shall substantiate performing shelter duty would be physically harmful.

Requests for exemption from shelter duty must include the beginning and end dates for the exemption period; exemptions will not be granted for more than a twelve (12) month period. Exemption requests are to be submitted to the employee's supervisor. Requests must be approved by the department head, the Director of Human Resources and the City Manager, or their respective designees.

Employees on pre-approved leave prior to news of the condition or situation constituting an emergency or inclement weather condition will be exempt from shelter duty.

Compensation

The City Manager may determine that an emergency situation merits the modification or suspension of basic City services, and is authorized to take such action and provide paid emergency leave to non-essential personnel and additional appropriate compensation or leave to employees required to work during this period.

Leave

When an employee is on pre-approved leave with pay during an authorized closing, his/her hours of leave will not be charged to his/her leave balances.

Employees requesting leave after news of a potential/probable condition or situation constituting an emergency or inclement weather condition may be required to substantiate the need for the requested leave with appropriate documentation, e.g. medical certification, obituary, death certificate, etc.

Reporting

Department heads, based upon direction of the City Manager, will determine the work status of essential personnel within their assigned department during an emergency or inclement weather event.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Emergencies and Closings (5.3)

Page 4 of 5



Employees failing to report as designated during an emergency or inclement weather event, including shelter duty, may be subject to disciplinary action.

IV. RESPONSIBILITY

A. Employees

All employees are responsible for adhering to the guidelines established in this policy and for ensuring their personnel records reflect current contact information.

B. Managers/Supervisors:

Managers and supervisors are responsible for adhering to the guidelines established in this policy.

C. Department Heads

Department heads will be responsible for:

- Adhering to the guidelines established in this policy;
- Developing and maintaining updated emergency plans for their assigned department;
- Designating essential and non-essential personnel within their department, annually reporting these designations to the Department of Human Resources, and notifying employees in writing of any changes to their designation; and
- Determining the work status of essential personnel within their assigned department during an emergency or inclement weather event.

D. Human Resources

The Department of Human Resources is responsible for providing policy administration and guidance.

E. City Manager

The City Manager is responsible for determining if an emergency situation or inclement weather event merits the modification or suspension of basic City services, which employees will be required to continue to render services, which employees will be excused from duty, and the compensation of employees in such circumstances.

V. DEFINITIONS

A. City Manager – Any reference made in this policy to the City Manager shall include those designated to act in the absence or disability of the City Manager in accordance with City Code Section 2-33.

B. Essential Personnel – Employees designated to work during an authorized emergency or closing because their positions have been designated by their department head as essential to operations during such events.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Emergencies and Closings (5.3)

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- C. Non-Essential Personnel – All employees not designated as essential; however, certain emergency conditions may require a department head to determine an employee as essential for that particular event.
- D. Emergency Conditions – Emergency conditions may include, but are not limited to, explosions, fires, major power or system failures, inclement weather conditions, and other natural or man-made events as determined by the City Manager.
- E. Inclement Weather Conditions – Inclement weather conditions may include, but are not limited to, snow, storms, hurricanes, tornadoes, floods, and/or the reasonable anticipation of such conditions.
- F. Delayed Opening – A delayed opening is any instance where normal City business hours (8:30 a.m. to 5:00 p.m.) are modified to accommodate emergency or inclement weather conditions and City offices open later than 8:30 a.m.

It is acknowledged that employees have varied work schedules. When City business hours are modified for a delayed opening, employees are expected to report and be ready to begin work at the time of the scheduled opening. For example, the City is on a two (2) hour delay meaning business hours will begin at 10:30 a.m., a work site normally opens at 10:00 a.m., employees at this facility will be expected to report at 10:30 a.m., or an employee who works an approved alternate work schedule normally reporting to work at 7:00 a.m. will be expected to report at 10:30 a.m.

- G. Early Closing – An early closing is any instance where the normal City business hours (8:30 a.m. – 5:00 p.m.) are modified to accommodate emergency or inclement weather conditions and City offices close earlier than 5:00 p.m.
- H. Closure – The closing of a specific City facility or all citywide operations (excluding 24-hour operations) for the duration of the regularly scheduled operating hours (8:30 a.m. – 5:00 p.m.).

VI. HISTORY

This policy replaces the Emergency and Inclement Weather Regulations, Policy Number 5.3, dated 01/01/2004 and the Guidelines and Procedures for BETA Employees, Policy Number 5.4, dated 01/01/2004.

VII. AUTHORITY

This policy has been established by the City Manager.

VIII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.5**

**Date Issued
1 January 2004**

**Subject:
City Equipment**

5.5 CITY EQUIPMENT

City equipment is only for the use of City employees in the course of daily employment and may not be used for personal reasons.

City employees driving City-owned vehicles must use them for official business only. Use of City-owned vehicles for private business is strictly prohibited and subject to disciplinary action.

(Civil Service Commission Disciplinary Rule A (12)).



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.6**

**Date Issued
1 January 2004**

**Subject:
CITY TELEPHONES**

5.6 CITY TELEPHONES

The City recognizes that it is sometimes necessary for employees to make personal calls; therefore, the business phones are available for limited personal use. Non-abusive use of business phones will ensure a continuation of this privilege. Personal long-distance calls are prohibited.

In using telephones to conduct City business, someone should always be available to answer phones promptly and identify themselves and their office.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: CODE OF ETHICS (5.7)

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EFFECTIVE DATE: May 1, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk conducts its business fairly, impartially, ethically and in compliance with all laws and regulations. The City is committed to conducting its business with integrity underlying all relationships, including those with citizens, customers, suppliers, communities and among employees. This policy constitutes the standards of ethical conduct required of all employees.

II. POLICY

A. Expectations

The highest standards of ethical conduct are required of City employees in performing their responsibilities. Employees will not engage in conduct or activity that may raise questions as to the City's honesty, impartiality, or reputation, or otherwise negatively reflect on the City. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which may result in or reasonably be expected to create an appearance of:

1. Using public office or public position for personal gain;
2. Giving preferential treatment to any person or entity;
3. Losing impartiality;
4. Adversely affecting the confidence of the public in the integrity of the City.

B. Statute

The Virginia Conflict of Interest Act is codified in Title 2.2, Chapter 31 of the Code of Virginia, § 2.2-3100 *et seq.* (the "Act"). The Act, governs the conduct of City employees regarding the acceptance of gifts, favors, rewards, participation in contracts and transactions, and further outlines conduct prohibited by City employees. While the specific language of the Virginia Conflict of Interest Act should be consulted for specific information, some illustrative examples of prohibited conduct are as follows:

1. Soliciting or accepting money or other things of value for services performed within the scope of official duties;
2. Offering or accepting any money or other things of value for or in consideration of obtaining employment, appointment, or promotion for any person or business with any governmental or advisory agency;

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: CODE OF ETHICS (5.7)

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3. Offering or accepting any money or other thing of value for or in consideration of the use of his/her public position to obtain a contract for any person or business with any governmental or advisory agency;
4. Using for one's own economic benefit or that of another party confidential information that has been acquired by reason of his/her public position and which is not available to the public;
5. Accepting any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence an employee's performance of official duties;
6. Accepting any business or professional opportunity when an employee knows there is a reasonable likelihood that the opportunity is being afforded to influence them in the performance of their official duties;
7. Accepting any honoraria for any appearance, speech or article in which an officer or employee provides expertise or opinions related to the performance of his/her official duties;
8. Accepting a gift from a person who has interests that may be substantially affected by the performance of the officer's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in the matter affecting the donor;
9. Accepting gifts from sources on a basis so frequent as to raise an appearance of the use of public office for private gain.

III. PROCEDURE

A. Conduct

Employees are employed to fulfill certain duties and expectations that support the mission and values of the City and are expected to conduct themselves in a manner that supports the mission of their department and the performance of their duties. The following items (not all-inclusive) provide examples of acceptable workplace conduct and performance:

- (1) Demonstrating the City values of Accountability, Integrity, Innovation, and Respect
- (2) Reporting to work as scheduled and seeking advance approval from supervisors for any changes to the established work schedule
- (3) Performing assigned duties with the highest degree of public trust and devoting full effort to job responsibilities' during work hours
- (4) Demonstrating respect for the City, other employees, and customers
- (5) Resolving work-related issues and disputes in a professional manner and through established City procedures

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TITLE: CODE OF ETHICS (5.7)

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- (6) Complying with the letter and spirit of all policies and procedures governing the performance of their job

B. Action

Violations of these standards should be reported to supervisors or other applicable officials and handled through City disciplinary procedures and/or the Department of Human Resources, the City Auditor, or other responsible departments, depending on the type of violation.

IV. RESPONSIBILITY

A. All Employees

Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. The City will communicate to employees its commitment to integrity and uncompromising values. It will inform employees of policies and procedures regarding ethical conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use these reporting mechanisms to raise genuine concerns will not be tolerated.

B. Supervisor and Managers

Managers are responsible for supporting policy implementation and monitoring compliance.

C. Human Resources

The Department of Human Resources is responsible for providing policy guidance and issuing procedures to assist employees in complying with expectations of ethical conduct.

V. HISTORY

Replaces Policy #5.7, Gifts, Rewards and Favors

VI. AUTHORITY

The Virginia State and Local Government Conflict of Interest Act
Title 2.2, Chapter 31 of the Code of Virginia, § 2.2-3100, *et seq.*

VII. REGULATION UPDATE

Modifications of this Policy shall be the responsibility of the Department of Human Resources.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.8**

**Date Issued
1 Januaryn2004**

**Subject:
SOLICITATIONS**

5.8 SOLICITATIONS

Anyone desiring to make Citywide solicitations must apply to the City Manager for written authorization. Outside organizations which are officially approved by the City Manager for certain designated solicitations may be permitted. This authorization must be presented to the department head before any solicitor or representative may contact employees.

Printed or written announcements posted anywhere on City property which deal with outside activities must be authorized by the department head.

Members of the public violating this policy should be brought to the attention of the ranking supervisor and their actions halted. Employees violating this policy are subject to discipline by Rule A (26) of the Civil Service Commission Disciplinary Rules.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.9**

**Date Issued
1 January 2004**

**Subject:
OTHER
EMPLOYMENT**

5.9 OTHER EMPLOYMENT

The City recognizes and respects the individual employee's right to engage in work outside his or her employment that is private in nature and does not in any way conflict with or adversely reflect on the City government.

The City of Norfolk requires that its employees serve the public with integrity, and desires to ensure that is not confronted with actual, potential or apparent conflicts of interest.

In view of its commitment to preserving the public trust, the City reserves the right to determine when an employee's activities represent a conflict with the City's interests. Each Department Head is empowered by the City Manager to make such a determination regarding the employees in his/her department.

All employees will be held personally responsible for seeking and obtaining the approval of the respective Department Head prior to engaging in (and if already engaged in, or prior to continuing) other employment. The employee will complete and submit a REQUEST TO ENGAGE IN OTHER EMPLOYMENT form to their Department Head. All new employees are required to complete and submit an OTHER EMPLOYMENT form to their Department Head.

Department Heads are responsible for communicating this policy to their employees and for its enforcement in their offices and departments. They are authorized to approve their employees' other employment provided that it does not adversely affect the performance of the employee's duties with the City, create an actual, potential, or apparent conflict of interest, or tend to reflect discredit or potential discredit upon the City. Department Heads are further authorized to disapprove and/or direct that their employees terminate any other employment that does not conform to these standards.

Policy and Administrative Regulation 2-007
Effective December 1, 1995

Policy and Administrative Regulations

CHAPTER 5: Human Resources
TITLE: Political Activities (5.10)
Page 1 of 3



EFFECTIVE DATE: November 1, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL: _____

I. PURPOSE

The right of City employees to participate in political activities must be balanced with the requirement for impartial and effective public service. Public trust and confidence are essential to the effectiveness of the City and are maintained and enhanced when City employees conduct themselves in a manner consistent with the highest standards. This policy governs the standards for all City employees participating in political activities in an effort to maintain the public's confidence and trust in the City, and those that act on its behalf.

II. POLICY

Employees of the City of Norfolk enjoy the full right of citizens to participate in political activities. The City encourages its employees to exercise their rights as citizens. However, these rights must be exercised within the confines of certain regulations regarding the use of public funds for political purposes.

These restrictions are not intended to limit the rights of employees to support or oppose any political candidate or party on their own time. They are intended to:

- minimize distractions during work,
 - assure that no public funds are used to support any candidate for public office,
 - assure the public is not given the false impression that the City supports or opposes any political activities.
1. No employee of the City is to solicit political contributions from any employee of the City or any other individual during working hours or at a City work site.
 2. No employee is to engage in any form of partisan political activity, including but not limited to, the wearing, display or distribution of buttons, stickers, or other political literature or paraphernalia, during work hours or at a City work site.
 3. No employee is to engage in any form of partisan political activity when wearing a City uniform or any other item that identifies the City. Political materials are not to be displayed on or carried in City vehicles.

Policy and Administrative Regulations

CHAPTER 5: Human Resources

TITLE: Political Activities (5.10)

Page 2 of 3



4. No employee is permitted to use City resources, including computers, telephones, e-mail, or employee work time for political campaigning, fund-raising, or other partisan political activities.

Employees are free to engage in partisan political activity away from a City work site, during non-working hours unless the employee is wearing a City uniform or other item that identifies the City.

City equipment (computers, telephones, copiers, fax) should not be used to develop or distribute political information.

Employees who engage in political activity on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the City.

III. DEFINITIONS

"Political Activities" includes, but is not limited to: soliciting votes or endorsements on behalf of a political candidate or political campaign; expressing opinions, privately or publicly, on political subjects and candidates; displaying a political picture, sign, sticker, badge or button; participating in the activities of, or contributing financially to, a political party, candidate or campaign or an organization that supports a political candidate or campaign; attending or participating in a political convention, caucus, rally, or other political gathering; initiating, circulating or signing a political petition; engaging in fund-raising activities for any political party, candidate or campaign; acting as a recorder, watcher, challenger or similar officer at the polls on behalf of a political party, candidate or campaign; or becoming a political candidate.

IV. RESPONSIBILITIES

A. Human Resources

The Department of Human Resources is responsible for the oversight and administration of this policy.

B. Department Heads

Department Heads will be responsible for ensuring that this policy is fully implemented and enforced.

C. Managers and Supervisors

It is the responsibility of managers and supervisors to enforce the requirements of

Policy and Administrative Regulations

CHAPTER 5: Human Resources

TITLE: Political Activities (5.10)

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this policy and to report instances of misconduct.

D. Employees

All employees and representatives of the City are responsible for ensuring compliance with this policy.

V. DISCIPLINE

Any employee violating this policy will be subject to appropriate disciplinary action up to and including termination depending upon the severity of the incident. Disciplinary action may also be taken against any official, manager or supervisor, or management who condones or ignores potential violations of this policy or otherwise fails to take appropriate action to enforce this policy.

VI. HISTORY

Political Activities 5.10, dated January 1, 2004

VII. AUTHORITY

Federal Hatch Act – Federally Funded State and Local Employees (5 U.S.C., Chapter 15)

Virginia Code § 15.2-1512.2. Political activities of employees of localities, firefighters, emergency medical technicians and law-enforcement officers and certain other officers and employees

VIII. REGULATION UPDATE

Modifications to the policy shall be the responsibility of the Department of Human Resources.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: REDUCTION IN FORCE POLICY (5.11)

Page 1 of 5



**City of
Norfolk**

EFFECTIVE DATE: April 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marcia D. Ford", written over a horizontal line.

I. PURPOSE

The City of Norfolk is committed to maintaining an effective and efficient organization. The City recognizes the importance of regularly evaluating its business operations, organizational structure, workforce, etc. in an effort to continually operate as a well-managed government.

II. POLICY

This policy establishes objective criteria whenever a Reduction in Force (RIF) becomes necessary. A RIF occurs when it becomes necessary to eliminate vacant or filled positions within the classified service. A RIF may be justified for reasons, including but not limited to, an economic downturn, budgetary constraints, reorganization for efficiency, or the reduction or elimination of programs and services of some department, bureau or division of the City of Norfolk (City), or the elimination or revision of classifications or positions.

The City Manager may take ordinarily prohibited employment action regarding permanent, non-probationary, members of the City's classified service, when exercising authority pursuant to a RIF. When action is taken pursuant to this policy, all non-probationary, permanent City employees, become at-will employees. Actions taken are not grievable.

III. PROCEDURE

If a RIF is necessary, the City Manager may consider the reduction of temporary, limited term (ex. special project) and seasonal positions prior to the elimination of non-probationary, permanent members of the classified service.

1. Initiating a RIF

The City Manager shall first consider the staffing needs of the various departments, bureaus, divisions or other administrative units of the City in determining what classifications or positions to eliminate.

2. Administering a RIF

The following criteria or factors should be utilized in making decisions pursuant to this policy:

- the need to continue necessary services to the public
- the needs of any particular department, bureau, division or other administrative unit of the City
- relative skills, knowledge and productivity of the employee

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: REDUCTION IN FORCE POLICY (5.11)

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- the past job performance of the employee
- the seniority of an employee (defined as the length of continuous City service)
- the specific skills and credentials required for a particular position
- any other relevant factors authorized by the City Manager or designee

Possible actions that may be considered as a result of the RIF may include but are not limited to:

- Reassignment
- Transfer
- Alternative Placement
- Demotion
- Layoff

It may be necessary to create special project positions and appoint affected employees into these positions in order to facilitate the above described actions. Employees shall be provided as much advance notice of the impending action as is practically possible.

Placement Options

The Director of Human Resources will consider placement of qualified employees into available vacant positions. Employees impacted by the reduction in force may undergo interviews, skill assessments or other processes to determine if their knowledge, skills, and abilities match available vacant positions. All final placements are at the discretion of the City Manager, with due consideration to the factors established within this policy. There will be no guarantee that any employee affected by the RIF will be placed into available vacant positions. The options considered when determining placement will be based on the following order:

1. Reassignment or Transfer

- a. To a vacant position in the same classification within the employee's current department.
- b. To a vacant position in the same classification within another department.

Reassigned or transferred employees will serve no probationary period and there will be no change in compensation (unless authorized by the City Manager or designee).

2. Alternative Placement

- a. To a vacant position in a different classification within the same pay grade.

Alternative placements shall serve a six (6) month probationary period. Compensation will be determined at the discretion of the City Manager or designee.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: REDUCTION IN FORCE POLICY (5.11)

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3. Demotion

- a. To a vacant position in a lower classification within the employee's current department.
- b. To a vacant position in a lower classification within another department.

Demoted employees will serve a six (6) month probationary period and the salary shall be placed at any pay rate within the lower classification, at the discretion of the City Manager or designee, not to exceed the employee's current salary.

An employee may not be placed in a classification with a higher pay grade. Employees affected by the RIF may apply for positions being recruited for through an open competitive process. If an employee is offered such a position, other options under this policy will no longer be necessary.

Reinstatement

If approved by the City Manager or designee, an employee separated from the City's service, due to a RIF, may be reinstated by the Civil Service Commission to the eligible list for the classification which such employee held at the time of separation, and/or to any other eligible list for a lower ranking classification, without competitive examination, provided that such employee meets all the qualifications prescribed in the classification specification. Any request for reinstatement by a general employee must be submitted to the Commission within two (2) years of separation. Any request for reinstatement by a sworn member of the Police or Fire-Rescue Departments must be submitted within one (1) year of separation.

Miscellaneous

1. The City Manager may establish a deadline for placement of affected employees.
2. Employees will be given 30 day notice, when feasible, prior to being separated from City employment pursuant to the RIF.
3. All offers of placement shall contain a deadline by which the employee must respond. Employees who do not accept placement by the date specified in the offer shall be deemed separated from employment as of the end of the day (or the nearest work day to that day) on which they expressly declined. Employees who fail to respond to an offer, shall be deemed separated from employment as of the end of the established deadline.
4. Any accrued annual, holiday or compensatory leave will be paid to employees, according to the usual rules of the Compensation Plan and the City Code.
5. An opportunity to continue health insurance coverage consistent with COBRA provisions will be provided for those covered by the City's plan.

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CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: REDUCTION IN FORCE POLICY (5.11)

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6. Employees who are laid off, as a result of the RIF, will be eligible for severance pay, based on years of service as outlined below:

Completed Years of Service	Severance
1 - 2	1 month salary
More than 2 and less than 5	2 months' salary
5 years and above	3 months' salary

Individuals declining placement opportunities may be ineligible for severance.

IV. RESPONSIBILITY

A. City Manager

When circumstances justify a RIF, the City Manager's authority extends beyond the usual bonds of the Charter, Civil Service Commission Rules and other statutes or ordinances governing employment within the classified service of the City. Consequently, the City Manager may take ordinarily prohibited employment action regarding permanent, non-probationary, members of the City's classified service, when exercising authority pursuant to a RIF.

All final placements are at the discretion of the City Manager with due consideration to the factors within this policy. The City Manager will adhere to guidelines established in this policy and exercise discretion pursuant to this policy in a fair and consistent manner.

B. Human Resources

The Department of Human Resources is responsible for providing policy guidance and adhering to the guidelines established in this policy.

The Department of Human Resources will review all available vacant positions to identify placement options.

C. Employees

Employees affected by the RIF have the responsibility to ask questions, seek guidance and adhere to the guidelines established in this policy.

D. Department Heads

Department heads are responsible for:

- ensuring that affected employees are advised of the elimination of their position;
- partnering and cooperating with the identification of placement opportunities; and
- assisting with the placement of affected employees.

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CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: REDUCTION IN FORCE POLICY (5.11)

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V. HISTORY

Replaces Policy Number 5.11, Reduction In Force Policy, Issued March 30, 2011.

VI. AUTHORITY

This policy has been established by the City Manager who has broad authority under the Charter and other laws over the personnel system and the employees of the City. Modifications to this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.12**

**Date Issued
1 January 2004**

**Subject:
HANDLING
SURPLUS AND
USELESS
PROPERTY**

5.12 HANDLING SURPLUS AND USELESS PROPERTY

Section 77 of the City Charter designates the Purchasing Agent as the responsible City Official to sell all personal property of the City that may have been condemned as useless by the director of a department.

The following is intended to clarify the intent of that part of Section 77 that concerns the condemnation of City property and to provide for the reporting, holding and disposal of City property.

A. Definitions - For the purposes of this policy, the following definitions apply:

1. City property is all personal property legally received as a result of a purchase action or by donation and held in the custody of a City department.
2. Useless City property is that property which is unusable by the custodial department. It may be new and unused, obsolete or worn out, or it may be scrap metal, wood, rags or paper, but having a value to the City.
3. To sell all personal property means the disposal of useless City property by the Purchasing Agent by whatever method of sale will produce the greatest overall revenue to the City.
4. Excess property is that property which is in excess of the requirements of a City department or activity because the needs of that department or activity have changed.
5. Surplus property is that property for which no immediate or foreseeable future use within the City has been identified.

SUBJECT: Handling Surplus and
Useless Property

Policy Number: 5.12

Date Issued
1 January 2004

B. Action by the Custodial Department:

1. City property that may become excess to one operating bureau, unit, or division may be relocated within the same department by the departmental director.
2. Endeavors to redistribute all excess or useless City property to other departments must be done by the custodial department prior to reporting this property to the Purchasing Agent. Upon agreement between the custodial and receiving departments, Fixed Asset Transfer Forms must be submitted to the Controller's Bureau in Finance by the former custodial department.
3. Excess City property not relocated within the City will be declared surplus by the Department Head in a memorandum to the Purchasing Agent. Details provided must include location of material and a description of its condition. The correspondence will also include the page and line number of the last annual inventory on which the item is listed, if applicable. Upon receipt of this letter the Purchasing Agent will take the appropriate disposal actions and notify the custodial department.
4. Useless City property also will be reported to the Purchasing Agent. The same information required for excess City property will be provided.
5. The reporting department will retain all property until the Purchasing Agent provides disposition instructions. After instructions are received the proper Fixed Asset Disposition or Transfer form must be sent to the Controller's Bureau in Finance.

C. Action by the Purchasing Agent

1. The Purchasing Agent will offer for sale all City property reported in writing as surplus and determined to have a monetary value.
2. The Purchasing Agent will direct the department head to deliver surplus material for which no bids were received to the appropriate accumulation point for subsequent sale as scrap.
3. The Purchasing Agent will direct the destruction and disposal of all unsalable surplus and useless materials at the City landfill by the custodial department.

D. Scrap Metal:

1. Scrap Metal - Water Utility Fund--Scrap metal from units supported by the Water Utility Fund is accumulated at 2000 Church Street and may be delivered as generated. The department director will periodically report this useless City property to the Purchasing Agent for sale.
2. Scrap Metal - ISF Automotive Maintenance--Scrap metal generated by the City Garage may be accumulated at the garage for subsequent reporting by the Director of Facility & Enterprise Management to the Purchasing Agent.
3. Scrap Metal - General Fund--Scrap metal from other units is accumulated at 2882 Cape Henry Avenue and may be delivered as generated. Department directors are responsible for declaring such scrap as useless to the Purchasing Agent.

E. Donations:

1. There is no legal authority for the donation of surplus or useless City property to any unit or organization not a part of the City government.

F. Special Provisions:

1. Materials which are or may be considered dangerous to the health and welfare of City employees and/or the general public will be disposed of by the custodial department in accordance with the directives of appropriate regulatory agencies after notification is made to the Purchasing Agent that the item to be disposed of is an environmental hazard.
2. City-owned materials removed from property incident to the execution of a contract, such as removal of installed equipment or replacement of water pipe, remain the property of the City and will be reported by the redistribution or disposal as useless.

G. Exception:

1. Section 33-61 of the Code of the City of Norfolk, Virginia, 1979, specifically assigns to the Chief of Police the responsibility for the sale and disposal of unclaimed property in custody of the Police. Such sale and disposal is exempt from these instructions, and shall be administered under rules established for and within the Department of Police.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.13**

**Date Issued
1 January 2004**

**Subject:
CITY TRAVEL
POLICY**

5.13 CITY TRAVEL POLICY

It is the policy of the City of Norfolk:

- A. For the employees to absent themselves from regular location of duties to travel out of the City when such travel is clearly beneficial or necessary to the official business and the conduct of the affairs of the City government. When considering travel, employees shall consider the cost effectiveness of the required travel, balanced with the business need, protecting the public trust, and responsible use of public funds is paramount.
- B. That employees who make such travel shall be those in each instance who are appropriate to the purpose of the travels by virtue of particular benefits of the travels in the performance of their duties or by virtue of their ability or position to conduct the business of the trips. The number of employees permitted to travel from each department should be limited to the development of staff in areas considered critical for the accomplishment of departmental goals. Departments should consider the cost benefit and operational impacts of group travel. On-site training should be considered in the event that more than three employees from a department are required to travel to a single event. Prior approval by an Assistant City Manager for more than three employees from a department for travel to a single event is required.
- C. No more than two Executive Staff members should travel on the same public transport (plane, train, bus, etc.). In no event should a director and assistant director be on the same public transport.
- D. That travel is subject to controls as to approval procedures, frequencies of travel of individuals and of employees collectively within units of the government, confirmation of justification or purpose of travel and/or availability of budgeted funds for travel.
- E. For the City to assume the obligation of reasonable and necessary expenses as incurred by employees undertaking travel on behalf of the City.
- 6. Employees are encouraged to use a travel agency or discount Internet travel services in arranging travel.

SUBJECT: City Travel Policy

Policy Number: 5.13

Date Issued
1 January 2004

- I. Description of Out of Town Travel - For the purpose of this policy, out of town travel is all travel outside the City's limits with the exception of:
 - A. Travel between the City and neighboring cities, except wherein reimbursable lodging is required.
 - B. Travel to inspect City owned facilities in neighboring cities and counties.
 - C. Travel between the City and neighboring cities and counties in connection with the transportation of children to and from foster homes served by the Department of Human Services (Division of Social Services) to be placed.
- II. Responsibilities:
 - A. The department heads and heads of offices and agencies will ensure that travelers are familiar with this policy and related procedures.
 - B. The traveler shall submit a request for out of town travel within reasonable advance time to allow normal processing, a minimum of two weeks before departure.
 - C. The traveler will prepare the voucher for reimbursement for travel expenses in accordance with these travel policies, procedures and instructions. Where travel is funded in whole or part by a State or Federal grant, the travel regulations and reporting requirements of the granting agency also must be followed.
 - D. The travel expense voucher shall contain a statement that the expenses were actually incurred by the traveler as necessary traveling expenses in the performance of official duties and that the travel claim is true and correct as to every material matter. The names of all persons for whom expenses have been incurred shall be listed on the travel voucher.
 - E. The Department of Finance is responsible for enforcing compliance with regard to this policy.

III. Approving Authority:

A. With the exception of the City Council members, Elected and Appointed Officials, and members of their respective staffs as otherwise provided in this policy, out-of-town travel shall be approved by the department head in charge of the department in which the employee requesting travel is assigned. The travel of executive staff office and department heads, assistant city managers, and so forth requires the approval of the City Manager or designee. In those divisions of the City which do not comprise a department, the initial recommendation shall be made by the division head with final approval by the City Manager or designee.

B. Travel by any employee out of country must be approved in advance by the City Manager or designee.

C. Where travel does not require more than one day, to go and return, and does not require overnight lodging, approval of a request may also be made by a department head or his/her designee.

D. Approval, with regard to this section of the policy, pertains to the authorization to travel and the request for cash advance and payment voucher.

IV. Transportation

A. Mode - The most efficient and economical method of travel, including group travel, if more than one employee from a department has been authorized to travel, should be used for each trip based on the following criteria:

1. The nature and urgency of the business.
2. The time of the travel.
3. The cost of transportation and any associated en-route expenses, including meals and lodging.
4. The number of persons making the trip.
5. The distance to be traveled.

B. City Vehicles:

City vehicles should be used whenever possible for ground transportation to and from the destination, subject to the safe and economical condition of the vehicle or vehicles assigned or available.

C. Commercial Aircraft:

1. Aircraft may be used when this has been determined to be the most economical and feasible means of travel. When a trip is over 175 miles and air transportation is available, the feasibility of traveling by air should be considered.

The fare of commercial air transportation on any trip should not exceed the lowest available standard economy fare except when an economy fare is not available. The use of advanced reservation, non-refundable, excursion fares is strongly encouraged for travel for all employees below the department head level where the meeting, training or other business engagement will begin or end on the day before or the day after a weekend and the use of the fare will result in a cost savings. Excursion fares may require the traveler to spend Saturday night at the destination. Where the travel meets the qualifications to use the excursion fare and a cost savings will result, the employee should consider the use of the excursion rate. When elected, the employee will be reimbursed the cost of the excursion fare, plus the extra cost of meals and lodging that would be required to use that class of fare.

The use of first class airfare is limited to absolute business necessities or health reasons. Cross-country non-stop flights over four hours with immediate meetings or events following the flight may be considered. Under all circumstances the appropriate use of public funds and the public trust must be considered.

Where an employee is averse to flying, this section is not to be construed as imposing the obligation of using aircraft travel. However, the mileage reimbursement will be limited to the amount of the lowest standard economy commercial airfare available between the points of travel, and reimbursement will not be made for any lodging or other costs en-route related to the use of the private automobile or other commercial carrier.

D. Private Automobile

1. Use of an employee's private automobile may be authorized by a department director if other means of transportation are not feasible or where the City's convenience or where the number of travelers is best served by this type of transportation.
2. If City cars are not available, travelers will be reimbursed at a rate determined annually by the City Manager for normal expenses such as gasoline and oil, and other routine vehicle expenses.
3. Speedometer mileage readings will be taken at departure and arrival times and will also be shown on the expense voucher.
4. The shortest, most economical route is the route that will be authorized for payment. Mileage in excess of that required for the trip plus a reasonable allowance for local travel at destination will require substantiation in order to be reimbursed.
5. Expenses such as parking fines, traffic fines, and the cost of towing and repairs on a private vehicle will not be reimbursed.

E. Other:

1. If travel is performed by any common carrier and the fare is paid by the employee, a receipt must be obtained for reimbursement.
2. No traveler shall be allowed either mileage or transportation expense when transported by another traveler who is entitled to mileage or transportation expense.
3. Commercial for-hire vehicles (Budget, National, Hertz, Avis, etc.) are permitted for out of town travel. The traveler, however, may be required to justify the need for such rental or for-hire vehicle in connection with the purposes of the trip. The rental vehicle chosen must be the most economical available, given the purpose for which the vehicle will be used. Traveler should purchase liability and property damage insurance provided by the renter at the time of rental confirmation. Coverage should extend through the

entire rental period.

V. Lodging

Employees, or other persons properly documented and officially recognized as serving the City's interests, will be reimbursed for the actual cost of lodging at the single occupancy rate except in those cases where it can be shown that single occupancy accommodations were not available or not in the best interest of the City.

Reimbursement of lodging must be substantiated by paid bills. When two or more persons travel together or have the same destination, the use of a double room may be undertaken on a voluntary basis. The employee must obtain the government room rate, whenever it is available.

The need for lodging shall be substantiated in the travel authorization request and will be based on the distance from Norfolk and the nature of the business that requires the travel. In most cases, the destination must be at least one and one-half hours from Norfolk. Where lodging is requested and the travel does not meet the time distance requirements stated above, the justification for lodging must be attached to the travel request and approved by the City Manager's Office prior to the commencement of the travel.

VI. Meals

A. Employees are permitted to be reimbursed for meals on a per diem basis or based on meal receipts. On a daily basis, an employee must determine whether to claim reimbursement on a per diem or meal receipts. For example, an employee is not permitted to claim a per diem reimbursement for breakfast and lunch and claim a receipt reimbursement for dinner on the same day. An employee, however, may claim a per diem reimbursement for all meals in one day and a receipt reimbursement for all meals on another day.

B. Per diem reimbursement for subsistence while on official business, including tips, is limited to \$30 per day (\$7 for breakfast, \$10 for lunch, and \$13 for dinner).

C. If it becomes necessary to spend in excess of the \$30 daily

limitation, meal receipts must be submitted for that day to receive reimbursement of the actual amount spent. Breakfast, lunch, and dinner must be separately itemized for each day on the expense voucher.

- D. When meals are part of a business program of a conference or seminar and the cost is not covered in the registration fee, the actual cost will be reimbursed if properly documented. The other meals on that date will be in accordance with subparagraph B above.
- E. When multiple employees are traveling together, one payment may be made to cover meals for all employees. The employee rendering payment is eligible for reimbursement in accordance with the guidelines specified in this policy.

VI. Incidental Expenses

A. The following incidental traveling expenses will be reimbursed, **if a receipt is provided**, while on official business:

1. Ferry fares and bridge, road and tunnel tolls.
2. Taxi, airport limousine or bus fares. Reasonable effort shall be made to obtain the most economical transportation to and from airports.
3. Fees for storing or parking motor vehicles.
4. Conference or seminar registration fees.
5. Fees for professionally oriented field trips or other special events sponsored by a conference or seminar.
6. Charges for special transportation of supplies or material necessary to the purposes of the travel.
7. Telephone, fax, and telegraph charges when related to the business of the City or directly of assistance to the traveler in aid of arrangements of the travel and when identified as to person and/or office called. The employee shall be reimbursed for the reasonable cost of one personal telephone call every other day of travel.

8. Fee for travelers' checks when the value of such checks does not exceed any advance City funds or estimate of expense.

9. Tips and gratuities when reasonable and explained not to exceed 20%.

10. Reasonable charges for local telephone calls.

11. Reasonable business related Internet telephone charges.

12. Insurance on rental cars when obtained for official City business.

13. When an employee is required to travel and as a result has to provide dependent care or assisted living arrangements for dependent family members in the employee's absence, the City will pay up to \$25 per day to assist with expenses resulting from business travel. The employee must provide sufficient documentation verifying the relationship and financial burden for the individuals requiring care. Department heads are required to review documentation and determine that the need is justified prior to travel.

14. When an employee is required to travel and as a result has to provide animal care expenses, the employee must submit a letter to their department head certifying that no other animal care arrangements could be secured. Pre-authorization must be granted by a department head in order for you to be reimbursed by the City for basic animal care. The City will pay up to \$17 per day for room and board only. Any additional costs incurred, such as costs for shots, extra food, grooming, etc. are not considered eligible costs and will not be reimbursed by the City.

- B. Receipts for incidental expenses must be obtained and submitted with the traveler's request for reimbursement within a reasonable period of time. Other items must be reasonable and subject to explanation when requested. All receipts should contain the amount of the payment, the date, the location and the name of the vendor. If the expense is

incurred in conjunction with a meeting or other event, the receipt should contain a description of the type of meeting or event, the purpose, the names of the persons for whom the expense is incurred, and the nature of the business relationship with those individuals.

- C. The City does not support or encourage the use of alcoholic beverages. However, it is recognized that in certain business-social settings a limited serving of such beverage may occur, as part of or expected business social grace. Reimbursement for reasonable expenses for alcoholic beverages may be permitted only when the City is hosting a business-related group meeting or meal.
- D. The following items will not be reimbursed to a traveler:
1. The cost of air travel insurance, unless the City of Norfolk is the named Beneficiary.
 2. The cost of closed circuit/cable TV movies.
 3. Any fine, bail bond or legal expense resulting from an action or actions by a traveler in the course of travel, unless the specific action or actions causing such expense was/were an official action and was/were deemed unavoidable rather than a personal action and an avoidable action. In case of question, all pertinent facts shall be submitted to the City Manager for review and decision.

VII. Advance Registration Fees - it is sometimes beneficial to submit registration fees or deposits for lodging well in advance of actual travel. In such cases, it will be necessary for travel authorization forms to be submitted in such time that approval of travel and processing of a check can be handled on a routine basis. Total estimated cost of travel will include the registration fee or deposit.

VIII. General:

- A. Departure and arrival times for expense reporting purpose will coincide with departure from and return to home or office.
- B. If a traveler assumes an expense for a person other than a City of Norfolk employee, reimbursement will be made for that traveler's expenses subject to the same limitations contained in this policy. The employee is also required to document the nature of

association, description and purpose of the meeting or event, and amount of expense on the traveler's voucher. Examples of persons other than City of Norfolk employees would be a citizen board or commission member, business contact, or person in custody. It is required that such other people have direct and then current business with the City.

C. For a non-employee person traveling on business for the City, i.e., citizen board or commission member, when such travel requires overnight lodging or commercial transportation, the procedure of submission of a request and all other provisions of this policy shall be applicable.

D. It is possible that circumstances could require a traveler to remain absent overnight when the original travel plans indicated otherwise or could require a change in mode or schedule of travel. In such cases, the traveler will notify his/her department head as soon as possible and the expense voucher submitted upon return must note any revision.

E. Expenses, when significant, that are other than those elsewhere identified in this policy (i.e., purchase of supplies or materials, conduct of programs or activities), should be submitted by request and voucher separately from the employee's travel request and voucher.

F. When an employee is reimbursed or is to be reimbursed for any expense of travel by other than the City, or when any expense of travel is without charge to the employee, the employee shall not make claim for such expense to the City.

G. Code of Virginia, Section 2.2-3103 states that no officer or employee of a state or local government or advisory agency shall solicit or accept money or other things of value for services performed within the scope of his official duties, except the compensation, expenses or other remuneration paid by the agency of which he is an officer or employee. Travel and expenses thereto, as well as benefits as may be received in the course of travel, may be regarded as being included within the intent of that section of the State Code. When, either in anticipation of travel or in the course of travel, an employee or traveler will have the expenses or benefits of travel or any part thereof provided for or paid for by other than the City, the employee is obligated to assure, before inviting, accepting or receiving such expenses or benefits, that there is no conflict with the above Code requirements or with good judgment. In the case of an employee having questions in

any such situation, the matter should be reviewed with the employee's immediate supervisor

H. Generally, reimbursement of expenses under these policies is exempt from federal and state income taxes. Some reimbursements, however, are not. These include:

1. Meals: If the travel does **not** require overnight stay by the employee, meal reimbursements are considered taxable.
2. Reimbursement for care of dependent family members is considered taxable.
3. Reimbursement for care of animals is considered taxable

Any reimbursement for the above stated circumstances must be properly reported to the IR S. A copy of each travel claim which have these types of reimbursement should be forwarded to the Payroll Manager in the Department of Finance and Business Services, to ensure appropriate employee tax treatment.

IX. Travel Forms - The travel authorization form and travel expense voucher form may be obtained by departments or offices from the Print Shop. Employees may obtain forms and vouchers from their supervisory office.

X.. Advance of Funds - The employee authorized to travel may secure an advance of funds to cover anticipated cost of travel by presenting the approved travel advance form to the City Treasurer.

XI. Settlements - The City Treasurer is authorized to advance travel funds within the ten-day period prior to the date travel is to commence.

The travel expense voucher must be filed with the Department of Finance within 15 days after the return of the employee to the City. The voucher will be processed in that department in such fashion as to enable the employee to liquidate the advance within 30 days of return.

Travel approval may be withheld to any employee if proper and timely vouchers have not been filed by the employee for one or more prior trips.

XII. Deviation from Travel Policy Guidelines – Deviations from the City's Travel Policy are permissible where extenuating circumstances exist and

SUBJECT: City Travel Policy	Policy Number: 5.13	Date Issued 1 January 2004	
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proper approval has been obtained. Unique travel needs by a department that are contrary to the City's existing Travel Policy must be submitted in writing to the City Manager or designee for approval prior to implementation. In the absence of the approval to do otherwise, the City's Travel Policy shall be enforced as written.

XIII. Effective Date of City Travel Policy.

The effective date of this revised policy is January 1, 2007.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.14**

**Date Issued
1-January 2004**

**Subject:
REPORTING MISSING
MONEY OR
PROPERTY, FRAUD,
MISAPPROPRIATION,
OR OTHER SIMILAR
IRREGULARITIES**

**5.14 REPORTING MISSING MONEY OR PROPERTY, FRAUD,
MISAPPROPRIATION, OR OTHER SIMILAR IRREGULARITIES**

PURPOSE: This policy is to provide guidelines for the timely reporting of any material loss of money or property; fraud; misappropriation or misuse of funds or property; or other similar irregularities.

POLICY: According to City Council Resolution adopted and effective December 18, 1979, all officers and employees of the City who have knowledge, information, or reason to believe:

1. City property is missing/lost/stolen;
2. Fraud or embezzlement has occurred;
3. City leased or owned equipment, supplies, and/or property has been used for personal gain or in an unauthorized manner;
4. City monies and/or funds are improperly used;
5. City services/products are disbursed without proper payment;
6. City policies/procedures are manipulated for personal gain;

must report such incidents or suspicions to the City Auditor, located in the City Hall Building. For reporting purposes, a "Missing, Lost or Stolen Report" form should be used, in particular for missing, lost or stolen property. In the event an employee does not feel comfortable reporting matters covered by this policy to his/her supervisor, the City Auditor may be contacted directly. The employee identification and information will be treated with strict confidentiality.

APPLICABILITY

Examples of items to be reported are:

- All items recorded on the Fixed Asset Inventory.
- Office items such as various types of equipment, furniture, printers, computers and bulk supplies, etc.

SUBJECT: Reporting Missing Money or Property, Fraud, Misappropriation, or Other Similar Irregularities	Policy Number 5.14	Date Issued 1 January 2004	
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- All shortages of cash receipts, petty cash and change funds are to be reported immediately upon discovery unless the City Auditor has approved another process of reporting shortages unique to the department. There are no dollar limitations. All shortages must be reported.
- Improper use of City funds to purchase personal items for employee gain.
- Annual leave or overtime abuse, such as when not earned or eligible.
- Unauthorized removal of City equipment or tools for personal benefit.
- Misuse or unauthorized use of city gas or credit cards.
- Stolen, loss, or misuse of gift cards, if applicable.

EXCEPTIONS OR ITEMS NOT REPORTABLE:

- Loose supplies and materials. (These are items that are consumed or significantly altered when used such as forms, stationery, pencils, work tools, sockets, hammers, saws, cleaning rags and solutions, uniforms, etc. However, if the incident involves a substantial amount or significant dollar value of accumulated supplies lost, stolen or missing, then these items should be reported. Examples would be a fully equipped tool box, cases of supplies, bulk purchases such as chairs, tables, etc.)
- Items such as windows, doors or door locks damaged by storms, vandalism or accidents do not have to be reported.
- Personal items not purchased by the City but that were lost, stolen or missing as a result of a City incident are not reportable.

RESPONSIBILITY:

According to the Resolution, all officers and employees of the City are responsible for reporting any irregularities to the City Auditor immediately. Each Department, Division and Bureau Head in the City should inform each of their employees of the content of this policy to be in compliance with the City Council Resolution regarding the reporting of missing money or property, fraud, misappropriation, or other similar irregularities.

REPORT FORMS:

Missing, Lost or Stolen Report forms can be obtained from the Storehouse.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.15**

**Issued 1 January 2004
Revised 12/2008
Revised 12/2010**

**Subject:
PARKING
POLICY**

5.15 Employee Parking Guidelines

The following guidelines are provided for all city employees, departments, and agencies whose offices are in a downtown location and for employees conducting official business within the downtown area. Parking shall be provided for all employees of the City of Norfolk, subject to the following guidelines for off-street parking and code requirements for on-street parking.

I. Civic Center Employee Parking Guidelines

- A. Employees with vehicles displaying valid City employee parking decals (CHN decals) are allowed to park in the City Hall North Garage and in designated spaces on the third floor of the City Hall South Garage. Anyone parked in these facilities without a valid decal could receive a parking ticket and could have their vehicle towed. Hand written notes taped to a window are not acceptable.
- B. Vehicles are to be parked only in marked parking spaces. Any vehicle parked in aisles, driveways or taking more than one parking space will be ticketed and could be towed.
- C. Valid CHN decals must be displayed on the driver's side rear window at all times when parking in these facilities. The decal must be visible to meter monitors and police officers in order to avoid being ticketed.
- D. It is the responsibility of the employee to remove the decal from a vehicle that is to be sold or traded and to supply the Parking Division with any new vehicle information. Lost or stolen decals should be reported to the Parking Division as soon as possible. There is a \$5.00 replacement fee for all decals.
- E. Any employee who transfers his/her decal to another employee or person or who allows another employee or person to use a decal issued in his/her name could have his/her parking privileges revoked and could be subject to disciplinary action.

II. Reserved Parking Areas/Civic Center Complex

Reserved parking areas are located on the first floor of the City Hall North Garage and in the two City Hall South Lots beside the City Hall South Garage.

These reserved spaces are assigned by the City Manager to staff of various departments and offices. These spaces are decal controlled, with parking hang tags issued to those to whom the spaces have been assigned.

Anyone parking in these spaces without a proper hang tag will be ticketed and could be towed.

III. External Departments**A. City Employees with Primary Offices Outside the City Hall Building**

Since many external City offices are located in the Downtown area, the assignment of parking for City employees must be balanced against the parking demand from the private sector. Private sector parking demand may require, from time to time, the relocation of City employee parking to alternate locations.

City employees located in offices external to the City Hall Building will be provided with parking decals and access cards for nearby parking garages and decals for nearby parking lots on a space available basis. Lost or stolen access cards should be reported to the Parking Division as soon as possible. There is a \$5.00 replacement fee for access cards.

City employees located in offices external to the City Hall Building, who have business (meetings; training, etc) at City Hall, should park in the City Hall South Street Garage or Lot F at Harbor Park and get their parking ticket validated by the department/office they are visiting.

Police and Fire personnel who have business at City Hall; Circuit Court; General District Court; or the City Jail should park in the City Hall South Garage or Lot F at Harbor Park and get their parking ticket validated by the department or court they are visiting.

City employees who drive marked City vehicles may park in any attendant operated facility without charge. On entry, these employees should take a ticket. On exit, they should sign the ticket - name; department and vehicle number- to receive courtesy parking. Drivers of unmarked City vehicles, on exit, should show ID and sign the ticket – name; department; badge number.

IV. Validated Parking Guidelines

Policy guidelines for the issuance of parking passes at all attendant-operated parking facilities; for the use of validation stamps by City departments and offices; for validated parking for members of City Council-appointed boards and commissions; and for validated parking for attendees of City-sponsored special events and/or meetings are as follows.

The underlying goal of these policy guidelines is to provide uniformity for and control over the issuance of parking passes and the validation of parking for specific individuals. At the same time, the policy will afford an opportunity to maintain adequate parking spaces for the general public.

City department/office validation stamps will permit these departments and offices to determine which employees, patrons, business representatives and visitors should receive validated parking at specific parking facilities. Also, utilization of these stamps will permit each department or office to facilitate parking access for their employees who work in outlying sites and who have a need to come to the department's/office's primary location to attend meetings, training sessions and conduct City business.

Each department/office will determine which three individuals will be authorized to sign the stamp. The names of these individuals will be submitted to the Parking Division along with an imprint of the stamp. These imprints and authorized signatures will be placed in the attendant booths at appropriate facilities.

Each department/office should maintain a validation log, noting the date, time and reason for each ticket validated. These logs will be an integral part of audits of the parking validation program.

Finally, these guidelines are designed to provide a control or audit mechanism for all courtesy/validated parking. Since the General Fund Budget pays for all department-granted validated parking, it is the mutual responsibility of each department and the Parking Division to be able to account for same at all times.

SUBJECT: Parking Policy

Policy Number: 5.15

Issued 11/ 2004
Revised 12/2008
Revised 12/2010

Validation stamps for specific parking facilities will be purchased by each department/office. These stamps will contain the following information:

<p style="text-align: center;">Validated Parking Facility Name Department Name</p> <p style="text-align: center;">Authorized _____</p>

B. Validated Parking for External Departments/Offices

City employees who have business at external departments/offices should park in nearby parking facilities and have their parking ticket validated:

Department	Parking Facility
Police/Fire	Boush Street Garage
Development	Commercial Place Garage
Utilities	Bank Street Garage
City Planning	Bank Street Garage
Information Technology	Bank Street Garage
Social Services(Granby Building)	Bank Street Garage
Nauticus	West Plume Street Garage
Recreation, Parks, & Open Space	York Street Garage
Human Services (Brambleton Avenue)	York Street Garage
Kirn Memorial Library	Main Street Garage
MacArthur Memorial	Main Street Garage
Cultural Affairs	Scope Garage

C. Parking Passes for all Attendant-Operated Facilities

As designated by the City Manager, parking passes for all attendant-operated facilities will be issued to the following:

- City Council Members
- City Manager
- Assistant City Managers
- Assistants to the City Manager
- All Executive Department Directors
- All Constitutional Officers
- All City Council Appointees

- All City Department Directors
- School Superintendent
- Executive Director, NRHA
- Community Services Board Director
- State Senators and Delegates
- Former City Council persons
- Individuals serving in an acting or interim capacity.

These passes will be valid for each calendar year and will be renewed in January of each year.

D. City Council Appointed Boards, Commissions and Committees

Validated parking will be provided to members of all City Council appointed boards and commissions when these members attend scheduled meetings of said boards and commissions.

Such validated parking will be provided by including on the letter or memorandum informing members of a meeting the following: "Validated parking will be provided to board/commission members at (name of parking facility) upon presentation of a copy of this meeting notification". A copy of this letter or memorandum should be forwarded to the Parking Administrator so that parking attendants in the specified facilities may be prepared to validate parking upon receipt of such letter or memorandum.

E. Special City-Sponsored Events/Meetings

When requested, validated parking will be provided to individuals attending City sponsored events or meetings under the same terms and conditions as stated for boards and commissions.

V. On-Street Parking

All City employees who drive personal or City vehicles on City business must obey the City Code rules and regulations governing on-street parking. This stipulation applies throughout the City and is inclusive of the Downtown area.

Failure to abide by on-street parking rules and regulations, i.e., not paying a meter; parking in a No Parking space; parking over the time limit in a loading zone, etc, will subject the City employee to receiving a parking ticket. When this occurs, the City employee is responsible for paying the ticket. Failure to do so could result in disciplinary action being taken against the employee.

SUBJECT: Parking Policy	Policy Number: 5.15	Issued 11/ 2004 Revised 12/2008 Revised 12/2010	
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City employees who respond to emergency situations, i.e., fire, medical emergencies, bomb threats, police situations, gas leaks, water main breaks, etc., are exempt from the on-street parking rules and regulations for the duration of the emergency situation.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.16**

**Date Issued
1 January 2004**

**Subject:
PERSONNEL
RECORD KEEPING**

5.16 PERSONNEL RECORD KEEPING

The employees' personnel files maintained by the Human Resources Department are considered to be the official employee personnel file. All documents required or intended to be included as part of an employee's permanent record should be forwarded to the Human Resources Department.



**City of
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PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.17**

**Date Issued
1 January 2004**

**Subject:
CITY OF NORFOLK
WORK PLACE
SMOKING POLICY**

5.17 CITY OF NORFOLK WORK PLACE SMOKING POLICY

The City of Norfolk prohibits smoking inside all public buildings and City vehicles. Smoking is permitted in designated outdoor areas.

Revised 1/2004



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.18**

**Date Issued
1 January 2004**

**Subject:
CITY'S RIGHTS TO
INVENTION,
DEVELOPMENT
AND
INTELLECTUAL
PROPERTY**

**5.18 CITY'S RIGHTS TO INVENTIONS, DEVELOPMENTS AND
INTELLECTUAL PROPERTY**

All rights of every kind in and to any intellectual property, including but not limited to, any inventions, patents, trademarks, service marks, copyrights, films, scripts, ideas, and creations, and to all properties and materials invented, created, written, developed, produced or disclosed by an employee in the course of rendering services to the City, shall be and remain the sole and exclusive property of the City for any and all purposes, and employees shall be obligated, as a condition of their employment, to assist the City in obtaining patents on any patentable ideas and to do all other things necessary to confirm the City's ownership.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
5.19**

**Date Issued
1 January 2004**

**Subject:
RESIGNATIONS
AND
TERMINATIONS**

5.19 RESIGNATIONS AND TERMINATIONS

A. Resignation (voluntary termination of employment by the employee) - Any employee desiring to terminate employment from the City, regardless of employee classification, is expected to give as much notice as possible, but a minimum of one week or 5 working days is considered appropriate notice (CSC Rule 11, Section 1). Written notice shall be forwarded to the employee's Bureau or Division Head.

B. Termination - Employment with the City of Norfolk is normally terminated through the City's Disciplinary Rules, described in Section 9.2 of this manual.

C. Layoff (termination due to reduction in the workforce or elimination of a position) - When employees are separated from the City due to reduction in the City's service forces, written notification should be given as far as possible in advance of the layoff action. Reduction shall follow the order or precedence as hereinafter set out: temporary, limited term, seasonal and permanent employees. (CSC Rule 11, Section 2)



**Policy Number
5.21**

**Date Issued
1 October 2009**

**Subject:
RECLASSIFICATION
PROCEDURE**

5.21 RECLASSIFICATION PROCEDURE

A. Civil Service Commission - All classifications and reclassifications of positions are decided by the Civil Service Commission and are governed by the Commission's rules. In the event of any conflict between the Rules of the Civil Service Commission and the description of the process summarized in this manual, the Commission's rules are controlling. The Commission's rules relating to the reclassification of positions are as follows:

B. Rule 4 (Classification Plan):

1. Section 6A (Reclassification) - Positions may be reclassified, i.e., assigned to a different class, when the duties permanently required of the incumbent have changed to a degree significant enough that they clearly exceed or are substantially different from those contemplated by the incumbent's current class specification. The change of duties required of an incumbent may have resulted from either technological changes, differences or changes in organizational requirements or goals, or the assignment of new and/or additional permanent duties by an employee's supervisor. Whether reclassification is appropriate is determined only by what required duties the employee is expected to perform on a permanent, continuing basis, as contrasted with how well the individual employee performs those duties. Some significant, permanent change in the duties of a position has to occur before it will be reclassified, and the required duties themselves are the basis for reclassification, not an individual's competency in performing those duties.

C. Procedure for Submission of Request:

1. An employee or a department director may submit a reclassification request. The Civil Service Commission or its Secretary may also initiate requests for classification reviews.

2. The employee should complete a Reclassification Position Description Questionnaire (available on the HR Intranet or from the Department of Human Resources), sign and date under item J., page 13, and submit to the immediate supervisor.
3. The supervisor should sign and date under item J, page 13 and submit the questionnaire to the department director. If any comments on the job duties are required, the supervisor should attach an additional sheet to the questionnaire.

The department director (or designated division/bureau head) should sign and date under item J., page 13, and submit the Reclassification Position Description Questionnaire and a cover memo outlining the major changes in position duties. If the department director does not support reclassification, he/she should forward the Reclassification Position Description Questionnaire and comments to the Department of Human Resources and the employee.

D. Evaluation of Reclassification request:

1. A Human Resources analyst reviews the cover memo, the Reclassification Position Description Questionnaire, and any comments from the department to determine if the change in duties exceeds the description and requirements of the employee's current job class.
2. The analyst interviews the employee and supervisor at the work site. The analyst may decide whether other management levels need to be interviewed. The interview is intended to clarify information or examples in the Job Description Questionnaire.
3. The analyst prepares a classification review report which provides the following elements:
 - Background on the request
 - Position analysis
 - Recommended job class
4. The classification review report is provided to the department director and employee and scheduled for the

Civil Service Commission meeting. The employee and department director are also notified of the date, time, and location of the Commission meeting. The employee should notify the HR analyst, if the employee disagrees with the recommendations in the report and wishes to appear before the Civil Service Commission to appeal.

5. The Civil Service Commission makes the final decision on a position's classification, based on the report of the HR analyst, and/or presentations made by the employee, department, and Human Resources.

E. Post Civil Service Commission Procedure

1. The Human Resources Administrative Assistant forwards a report including all actions approved by the Civil Service Commission to applicable department directors and Human Resources staff.
2. The Human Resources Personnel Technician enters approved position changes in to the HRIS system and advises the HR Salary & Benefits Administrator. If necessary, the Management Analyst prepares a request for ordinance for Compensation Plan changes.
3. The HR Salary and Benefits Section processes applicable changes to employee and payroll data in the HRIS system.



**City of
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**PERSONNEL ADMINISTRATIVE POLICIES
MANUAL**

Policy Number

5.22

Date Issued:

13 June 2011

Page 1 of 2

Subject:
REHIRING RETIREES

Policy Summary

The Rehiring Retirees policy governs the employment of retired employees into positions within the City of Norfolk to supplement the workforce, to cover seasonal or temporary workloads, to provide interim replacements, or to perform short-term projects. This applies to retired employee placements in departments/agencies operating under the direction of the City Manager. This does not preclude voluntary participation by Constitutional Officers and other agencies.

A. PURPOSE

The purpose of this policy is to establish a policy and procedure for the placement of City of Norfolk retirees in Retiree Part-Time employment status within specified assignments within the City of Norfolk. No retiree will be rehired into a permanent position or other employment category.

B. DEFINITIONS

Retired Employee – a former City of Norfolk employee who has separated from City service and elected monthly retirement income under the City of Norfolk Retirement Plans.

Rehiring Retiree program applicant – an individual who worked for and retired from the City of Norfolk with creditable years of service through the City of Norfolk Retirement Plan; has completed the application requirements for the Program; and has been certified by the Department of Human Resources to participate in the Program.

Participant – A City of Norfolk retiree who is employed by the City in the Retiree Part-Time status.

C. ADMINISTRATION

1. The retiree must meet the City's screening requirements in order to be certified as a Retiree Part-Time applicant, including verification by Human Resources that the retiree is eligible for rehire and has met a 30-calendar day separation requirement. Retirees must have a bona fide break in service of at least 30 calendar days after their retirement date.
2. Program participants shall be subject to all background checks and post-offer screenings associated with the position
3. Application with the Program does not imply or guarantee placement in any position or department and does not imply any contractual agreement.
4. The City Manager will appoint employees to Retiree Part-Time status.
5. The salary and other post-employment costs associated with the employment of a participant shall be the responsibility of the hiring department.

6. The hourly pay rate for a participant shall be determined consistent with current City policy.
7. The work schedule of a participant shall not exceed 1040 hours during a continuous 12-month period (based on participant's rehire date).
8. The grievance procedure will not apply to Retiree Part-Time status participants.
9. A participant will not be eligible for employee benefits provided to permanent and other employee categories and will not be a member of the retirement system. City retirement pensions currently received by a participant will remain in effect.
10. Participants may return to the department where previously employed or a different department.
11. Department Directors are responsible for ensuring compliance with employment time periods and other provisions of this policy.
12. Retirees on the City payroll prior to April 19, 2011 may continue at their current rate of pay. If these employees are separated from active status and later return to City employment, their pay rate will be governed by item 6 above.

D. AUTHORITY

City Code Section 2.1-26.5 Retiree part-time employees—defined; not members of classified or unclassified service; method of appointment; compensation (Ordinance 44,223 adopted/effective April 19, 2011)

City Code Sec. 37-75. Restoration of beneficiaries to membership. (Ordinance 44,224 adopted/effective April 19, 2011)

DATE:

6/13/11

SIGNATURE:

Marcus Jones
Marcus Jones, City Manager

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: ALTERNATIVE WORK SCHEDULE (5.23)

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**City of
Norfolk**

EFFECTIVE DATE: September 1, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marc D. Jones", written over a horizontal line.

I. PURPOSE

The City is dedicated to excellence in public service. The City supports the use of alternative work schedules when such schedules are consistent with operational needs and allow the work unit to continue to provide quality customer service.

II. POLICY

This policy applies to regular full-time employees who normally work a five (5) day work week. It is recognized that some divisions or work units within City departments have unique work schedules that are designed to meet operational needs. In such cases, employees permanently work in non-traditional schedules. Alternative work schedules are not intended to change a division's or department's regular hours of operation. For departments or divisions who seek to permanently modify work hours, approval from the City Manager or designee is required.

Alternative schedules must further the City's commitment to excellence in public service and meet the business needs of the department. Alternative work schedules are intended to bolster staff morale, recruitment, and retention while maintaining or enhancing a department's service delivery. Not all work units or positions are well suited for alternative work schedules; therefore, this policy does not guarantee or require alternative work schedules for any employee.

Eligibility for participation in alternative work schedules will be based on an assessment by the department head of the employee's proposed work schedule which must enable the employee to fully meet job responsibilities and performance expectations. Alternative work schedules are to be considered on a case-by-case basis and will be reviewed on the basis of feasibility and assurance that the department's efficient and effective services will not be interrupted nor cause a budgetary impact or increased costs. Adequate supervisory coverage, contact, and employee accountability must be maintained.

In addition to the above requirements, the following criteria must be met for alternative work schedules:

- Alternative schedules must not cause or contribute to the need for additional staff or for existing staff to work overtime hours.
- For non-exempt employees who are eligible for alternative work schedules, the approved schedule must maintain a forty (40) hour work week.
- For individuals with supervisory or management responsibility, special consideration should be given to alternative schedule requests to ensure that appropriate supervisory coverage is in place during working hours.

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- Employees must recognize that the alternative work schedules will require periodic adjustments:
 - During the week of a City-designated Holiday, the employee must revert back to a standard five (5) day, eight (8) hour per day, work week.
 - Once approved, alternative work schedules are fixed weekly schedules with the exception of times when an employee's supervisor determines that an event, meeting, or training which is held during non-working hours is critical to attend and cannot be rescheduled. In such cases, the alternative work schedule must be adjusted by the employee to accommodate the change.
- This policy is not designed to address occasional adjustments made to work schedules to ensure compliance with authorized hours worked.

An alternative work schedule may be rescinded at any time by the department head.

III. DEFINITIONS

A. Standard Workweek

The standard workweek for all employees, except uniformed police and fire-rescue employees, is a fixed and regularly recurring period of 168 hours, or seven (7) consecutive twenty-four (24) hour periods. Unless otherwise authorized and published, the standard workweek begins at 5:01 p.m. Friday and ends at 5:00 p.m. the following Friday. The beginning and ending times of the standard workweek must be used when determining the number of hours worked in the workweek and eligibility for any overtime payments.

B. Standard Hours of Operation

The standard hours of operation for all employees, except uniformed police and fire-rescue employees, are Monday through Friday, 8:30 a.m. to 5:00 p.m. This includes a thirty (30) minute unpaid meal break. Departments, with appropriate authorization, may establish standard hours of operation due to operational needs that vary the beginning and ending times or to provide twenty-four (24) hours, seven (7) days per week coverage. All schedules should include either a thirty (30) minute or one (1) hour unpaid meal break. Meal breaks are to occur during the workday and should not be scheduled or taken at the beginning or end of the day.

C. Compressed Workweek

A compressed schedule is a forty (40) hour workweek, scheduled during operating hours, which is completed in less than five (5) full workdays. Examples of a compressed workweek include:

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Example A

Monday – Thursday: 7:00 a.m. – 6:00 p.m. with a 1-hour meal break

Work Day	Schedule	Unpaid Meal Break	Total Hours Worked
Monday	7:00 a.m. – 6:00 p.m.	1 hour	10
Tuesday	7:00 a.m. – 6:00 p.m.	1 hour	10
Wednesday	7:00 a.m. – 6:00 p.m.	1 hour	10
Thursday	7:00 a.m. – 6:00 p.m.	1 hour	10
Total Hours Worked			40

Example B

Monday – Thursday: 8:00 a.m. – 5:30 p.m. with a 30-minute meal break

Friday hours: 8:00 a.m. – 12:00 p.m.

Work Day	Schedule	Unpaid Meal Break	Total Hours Worked
Monday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Tuesday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Wednesday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Thursday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Friday	8:00 a.m. – 12:00 p.m.	None	4
Total Hours Worked			40

D. Flexible Schedule

A flexible schedule is an alternative work schedule in which employees vary arrival and departure times, while typically maintaining an eight (8) hour workday. For flexible schedules, departments must identify the “core” working hours. Core hours represent the busiest or most demanding times of the day when all employees must be present at work (e.g., 9 a.m. to 3 p.m.). Examples of flexible scheduling include:

Operational hours: 7:30 a.m. - 6:00 p.m.

Core hours: 9:00 a.m. - 3:00 p.m.

Example A

Monday – Friday: 7:30 a.m. - 4:00 p.m. with a 30-minute meal break

Work Day	Schedule	Unpaid Meal Break	Total Hours Worked
Monday	7:30 a.m. – 4:00 p.m.	30 minutes	8
Tuesday	7:30 a.m. – 4:00 p.m.	30 minutes	8
Wednesday	7:30 a.m. – 4:00 p.m.	30 minutes	8
Thursday	7:30 a.m. – 4:00 p.m.	30 minutes	8
Friday	7:30 a.m. – 4:00 p.m.	30 minutes	8
Total Hours Worked			40

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Example B

Monday – Friday: 9:00 a.m. - 6:00 p.m. with a 1-hour meal break

Work Day	Schedule	Unpaid Meal Break	Total Hours Worked
Monday	9:00 a.m. – 6:00 p.m.	1 hour	8
Tuesday	9:00 a.m. – 6:00 p.m.	1 hour	8
Wednesday	9:00 a.m. – 6:00 p.m.	1 hour	8
Thursday	9:00 a.m. – 6:00 p.m.	1 hour	8
Friday	9:00 a.m. – 6:00 p.m.	1 hour	8
Total Hours Worked			40

Example C (Exempt employees only)

Week 1:

- Monday – Thursday: 8:00 a.m. - 5:30 p.m. with a 30-minute meal break
- Friday: 8:00 a.m. - 4:30 p.m. with a 30-minute meal break

Week 2:

- Monday – Thursday: 8:00 a.m. - 5:30 p.m. with a 30-minute meal break
- Friday: Off

Work Day	Schedule	Unpaid Meal Break	Total Hours Worked
Week 1			
Monday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Tuesday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Wednesday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Thursday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Friday	8:00 a.m. – 4:30 p.m.	30 minutes	8
Week 2			
Monday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Tuesday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Wednesday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Thursday	8:00 a.m. – 5:30 p.m.	30 minutes	9
Friday	Off	n/a	0
Total Hours Worked			80

Non-exempt employees must maintain the standard workweek in accordance with the Fair Labor Standards Act (FLSA) overtime regulations; therefore, non-exempt employees are not eligible to work flexible schedules that are based on a two-week period. Exempt employees must maintain a work schedule of eighty (80) hours every two weeks.

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IV. PROCEDURE

An employee who is interested in an alternative work schedule should complete the Employee Alternative Work Schedule Request Form and submit to their supervisor. The supervisor should review the request and ensure that the revised schedule is consistent with operational needs and adheres to this policy. Once approved by the supervisor, the request must also be approved by the department head and forwarded to the Department of Human Resources for final approval. An alternative work schedule may not be implemented prior to final approval.

If an employee would like to modify an approved alternative work schedule or return to standard work hours, a new request must be completed and approved. When an employee with an approved work schedule changes positions, he/she must adhere to the work hours for the new position or submit a new Employee Alternative Work Schedule Request Form.

Leave requests will be charged based on the approved work day. For example, an employee works a compressed workweek of four (4), ten (10) hour days; leave requests for a full work day must be submitted for ten (10) hours.

V. RESPONSIBILITY

A. Employees:

Employees interested in alternative work schedules, must complete and submit the Employee Alternative Work Schedule Request Form. Prior to implementing a modified schedule final approval must be received. Employees must comply with requirements established within City and departmental policies.

B. Managers and Supervisors:

Supervisors are responsible for approving or denying alternative work schedule requests in consideration of City and department policies, customer service requirements, and operational needs. Supervisors must have a clear understanding of the standard workweek and standard hours of operation in order to avoid unnecessary overtime. When multiple employees in a work unit are using alternative work schedules, supervisors must ensure fairness and appropriate coverage. This responsibility may include developing a rotating schedule for alternative work schedules, rotating days off, or staggering arrival and departure times for employees. All requests are submitted to the department head with the supervisor's recommendation for action.

C. Department Heads:

All requests for alternative work schedules, following the action of the immediate supervisor and department head, must be forwarded to Human Resources for final approval of the City Manager or designee.

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While it is not required that alternative work schedules be uniformly available to all positions in a department, the department head is responsible for ensuring the fair and equitable administration of this policy.

D. Human Resources:

The Department of Human Resources is responsible for oversight and administration of the policy. In addition, the Department of Human Resources may randomly conduct audits to ensure fairness and consistency with flexible work schedules. The Department of Human Resources will keep on file a record of all approved alternative work schedules.

VI. HISTORY

N/A

VII. AUTHORITY

A. Modifications of this policy shall be the responsibility of the Department of Human Resources.

B. City Code Sections 2-46 (Standard workday) and 2-47 (Standard workweek).

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CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Endangerment Policy (5.24)

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**City of
Norfolk**

EFFECTIVE DATE: May 1, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marcia D. Jones", written over a horizontal line.

I. PURPOSE

Violence in the workplace poses a threat to the safety of employees and the public and affects employee morale and productivity. This policy establishes guidelines and procedures in an effort to minimize the threat of violence in the workplace, without restricting appropriate public access to city employees and facilities.

II. POLICY

The City will not tolerate acts and behaviors that are likely to result in workplace violence, which may include but are not limited to abusive language, hitting or shoving, threats of bodily harm, brandishing of an object which may be used as a weapon, the sending of threatening, harassing or abusive e-mails and faxes, threatening or harassing telephone calls, and using the workplace to violate protective orders.

Workplace violence falls into four broad categories. They are:

Type 1: Violent acts by criminals who have no other connections with the workplace, but enter to commit robbery or another crime.

Type 2: Violence directed at employees by customers, clients, patients, students, inmates, or any others for whom an organization provides services.

Type 3: Violence against workers by a former employee. (Refer to A.R. #8.12, Workplace Violence Policy if endangerment involves a current employee)

Type 4: Violence committed in the workplace by someone who does not work there, but has a personal relationship with an employee.

The City defines employee endangerment as actions or words that endanger or harm employees or result in employees having a reasonable belief that they are in danger. Such actions include:

- Verbal or physical harassment
- Verbal or physical threats
- Assaults or other violence
- Any other behavior that causes others to feel unsafe

City employees in various professions may regularly encounter specific safety and security hazards associated with their profession and/or facility. Departments are encouraged to

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establish and review, on an ongoing basis, comprehensive safety policies and procedures that address the safety and security specific to their worksites and clientele. Procedures include training of direct service staff; protocols for preventing, assessing and responding to risk; how to respond to situations, incidents, and aftermath; and guidelines for administrative actions and oversight.

III. DEFINITIONS

Endangerment: Behavior in which a former employee or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the workplace.

Threat: The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

Intimidation: Making others afraid or fearful through threatening behavior.

Imminent Danger: Is defined by OSHA as ".....any conditions or practices in any place of employment which is such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures. The following conditions must be met before a condition becomes an imminent danger:

- There must be a threat of death or serious physical harm.
- The threat must be immediate or imminent. This means that you must believe that death or serious physical harm could occur within a short period of time.

Court Order: An order by a Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including Temporary Restraining Orders.

IV. PROHIBITED BEHAVIOR

Threatening Telephone Calls

Unwelcome calls are unsolicited communications that, by virtue of the content, frequency or timing, are offensive or tend to menace and harass the recipient. A threatening call is more serious and involves a potentially harmful or unsafe act.

In the event an employee receives a harassing or threatening phone call, procedures have been implemented to ensure a consistent process, a quick response and recourse to the Department of Police when the situation warrants.

It is unlawful in the Commonwealth of Virginia to make harassing or threatening phone calls.

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Virginia State Code:

§18.2-427. Use of profane, threatening, or indecent language over public airways or by other methods

Any person who uses obscene, vulgar, profane, lewd, lascivious, or indecent language or makes any suggestion or proposal of an obscene nature, or threatens any illegal or immoral act with the intent to coerce, intimidate or harass any person, over any telephone or citizens band radio, in this Commonwealth, is guilty of a Class 1 misdemeanor.

§ 18.2-428. Giving certain false information to another by telephone

If any person maliciously advises or informs another over any telephone in this Commonwealth of the death of, accident to, injury to, illness of, or disappearance of some third party, knowing the same to be false, he shall be guilty of a Class 1 misdemeanor.

§18.2-429. Causing telephone to ring with intent to annoy

Any person who, with or without intent to communicate but with intent to annoy any other person, causes any telephone or digital pager, not his own, to ring or to otherwise signal, and any person who permits or condones the uses of any telephone under his control for such purpose shall be guilty of a Class 3 misdemeanor.

“Over any telephone” includes, for purposes of this section, any electronically transmitted communication producing a visual or electronic message that is received or transmitted by cellular telephone or other wireless telecommunication devices.

If an employee receives a threatening telephone call:

Call 441-5610 Non-Emergency Phone Number, Office of Emergency Preparedness & Response, to report the incident with the following information:

- Telephone number and/or extension of the person receiving the call
- Address where the call was received
- Name of person reporting the threatening call
- Time and date of the call
- Specific information about the call

The information will be entered into the Computer Aided Dispatch (CAD) system, and referred to the Norfolk Department of Police. A Police employee will call the victim to compile a report and provide the victim with a Police Report Number. The Police Department may contact the Information Technology Department through the IT Help Desk at 664-4357 to request a review of call accounting records.

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In-Person Threats

Virginia State Code states:

§ 18.2-415. Disorderly conduct in public places

A person is guilty of disorderly conduct if, with the intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he:

A. In any street, highway, public building, or while in or on a public conveyance, or public place engages in conduct having a direct tendency to cause acts of violence by the person or persons at whom, individually, such conduct is directed; or

B. Willfully or being intoxicated, whether willfully or not, and whether such intoxication results from self-administered alcohol or other drug of whatever nature, disrupts any funeral, memorial service, or meeting of the governing body of any political subdivision of this Commonwealth or a division or agency thereof, or of any school, literary society or place of religious worship, if the disruption (i) prevents or interferes with the orderly conduct of the funeral, memorial service, or meeting or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed . . .

. . . The person in charge of any such building, place, conveyance, meeting, operation or activity may eject any person who violates any provision of this section, with the aid, if necessary, of any persons who may be called upon for such purpose.

Norfolk City Code Sec. 29-10. - Disorderly conduct generally

A person is guilty of disorderly conduct if, with the intent to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof, he:

- (1) Engages in fighting or in violent, threatening or tumultuous behavior; or*
- (2) Disrupts or disturbs any lawful assembly or meeting of persons; or*
- (3) Obstructs vehicular or pedestrian traffic; or*
- (4) Otherwise creates a hazardous or physically offensive condition by any act, which serves no legitimate purpose of the actor; or*
- (5) In any street, highway, public building or while in or on a public conveyance or public place engages in conduct having a direct tendency to cause acts of violence by the person or persons at whom, individually, such conduct is directed; or*
- (6) Willfully or being intoxicated, whether willfully or not, and whether such intoxication results from self-administered alcohol or other drug of whatever nature, disrupts any meeting of the governing body of any political subdivision of this commonwealth or division or agency thereof, or of any school, literary society or place of religious worship, if the disruption (i) prevents or interferes with the orderly conduct of the meeting, or (ii) has direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed. . .*

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... The person in charge of any such building, place, conveyance, meeting, operation or activity may eject therefrom any person who violates any provision of this section, with the aid, if necessary, of any persons who may be called upon for such purpose.

For the purposes of the section, "public" shall include, but not be limited to affecting or likely to affect persons in a neighborhood, highway, street, hospital, jail or other institution, apartment house, office building, public conveyance, shop, public building or other place to which the public or a substantial group has access. . .

V. REPORTING ACTS OR THREATS OF VIOLENCE

If an emergency exists and the situation is one of imminent danger, the employee shall contact the Department of Police by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect them from immediate harm, such as leaving the area.

If the situation is not one of imminent danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible. All employees shall promptly report endangerment to the Department of Police by calling 9-1-1 and then to their supervisors. In emergency situations where there may be imminent danger, employees may report endangerment to supervisory or managerial level employees other than their own supervisors. Employees shall also promptly report to their supervisors and the Department of Police situations that they believe could lead to endangerment, including but not limited to protective orders or other "no contact" orders.

VI. PROCEDURES - FUTURE VIOLENCE

Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with the City, shall inform their supervisor immediately so appropriate action may be taken. The supervisor shall inform his/her Department Director or designee, the Director of Human Resources and the Department of Police.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor. The supervisor shall provide copies to the Department Director, the Director of Human Resources and the Department of Police.

VII. RESPONSIBILITIES

The procedures and provisions of this policy apply to all employees and other individuals involved in the City's day-to-day operations, as well as employees and individuals acting as the City's representative or conducting business on behalf of the City.

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A. Department Heads:

- Department Heads will be responsible for ensuring that this Policy is fully implemented and enforced.
- Department Heads will ensure that behaviors and actions that may result in violence are dealt with promptly, firmly and fairly.

B. Manager and Supervisors:

- Communicating and adhering to the guidelines established in the policy.
- Ensuring that behaviors and actions that are likely to result in workplace violence are dealt with promptly, firmly and fairly.
- Informing employees of department/agency workplace violence policies and procedures.
- Ensuring that employees know specific procedures for dealing with workplace threats and emergencies, and how to contact police, fire, and other safety and security officials.
- Ensuring that employees with special needs are aware of emergency evacuation procedures and have assistance (as necessary) regarding emergency evacuation situations.
- Responding to potential threats and escalating situations by utilizing proper resources from the following:
 - Department of Police and medical services
 - Department of Human Resources
 - Employee Assistance Program
- Take all threats seriously

C. Employees:

Employees are responsible for:

- Being familiar with City policy regarding employee endangerment.
- Being responsible for questioning and/or reporting strangers to supervisors.
- Being aware of any threats, physical or verbal, and/or any disruptive behavior of any individual and report such to supervisors.
- Being familiar with procedures for dealing with work related threats and emergencies.
- Taking all threats seriously.

VIII. HISTORY

N/A

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IX. AUTHORITY

Virginia State Code:

§18.2-429 Causing telephone to ring with intent to annoy

§18.2-428 Giving certain false information to another by telephone

§18.2-427 Use of profane, threatening, or indecent language over public airways or by other methods

§18.2-415 Disorderly conduct in public places

City Code Sec. 29-10 Disorderly conduct generally

X. REGULATION UPDATE

Modifications to the policy shall be the responsibility of the Department of Human Resources.

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CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: PERSONAL APPEARANCE POLICY (5.25)

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**City of
Norfolk**

EFFECTIVE DATE: July 15, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Mary D. Jones", written over a horizontal line.

I. PURPOSE

All employees are representatives of the City and therefore personal appearance must represent a professional image at all times. Personal appearance complements an environment that reflects a professional, efficient, and well managed organization.

II. POLICY

A message of professionalism and competence should be delivered to the public at all times through personal appearance. Personal appearance should reflect positively on the City of Norfolk and its workplace. It is recognized that different applications of this policy may be necessary depending on the nature of assigned work, work environment, involvement with the public, required uniforms, safety issues, or other circumstances as defined by management. This policy is intended to provide standards on personal appearance and is not meant to address all situations. Employees should use their best judgment in following the guidelines established in this policy to present an acceptable personal appearance, although the final decision as to what constitutes an appropriate professional appearance is the responsibility of management.

The City recognizes that appearance is a form of self expression but strives to ensure professional standards are maintained and do not pose a conflict with City policy or operations, health and safety, or an employee's (or that of another employee's) ability to perform their job duties. Requests for accommodation will be considered for situations requiring an exception.

III. PROCEDURE

General Guidelines

It is important that all employees present an appropriate appearance while on duty. Dress, grooming, and personal hygiene standards contribute to the organizational image and the morale of all employees. All employees are expected to present a clean, neat, and professional appearance during work hours or when representing the City. Dress and grooming should be in accordance with the requirements of your position, work environment, and accepted policy standards.

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The following examples are to be used as a guideline and are not all inclusive:

A. Professional Attire

Business Dress Guidelines

Acceptable	Unacceptable
Suits, sport coats, blazers, pants, trousers, slacks, business appropriate capris	Casual shorts, skorts, athletic wear
Shirts, blouses or tops (long, short or sleeveless), dress shirts, Polo style shirts, sweaters	Spaghetti straps*, low cut, backless, sheer, short or midriff (waist must be covered)
Dresses and skirts	Spaghetti straps*, low cut, backless, sheer, mini-skirts
Dress shoes, business casual shoes, loafers, boots, or sandals	Sandals of any material which are commonly referred to as flip-flops, athletic shoes, slippers

Casual Dress Guidelines

Casual Friday, special occasion dress down days for a specific reason, or seasonal attire may be established by a department head although, casual attire must be in accordance with the guidelines established within this policy.

Acceptable	Unacceptable
Business casual pants, capris and jeans	Faded, torn, excessively baggy, low-rise or visibly patched pants or jeans; shorts; athletic wear
Dress shirts or blouses, Polo style shirts, sweaters, pullover shirts, approved City or departmental logo clothing	Sweatshirts, T-shirts, Spaghetti straps*, low cut, backless, sheer, short or midriff (waist must be covered)
Dresses and skirts	Spaghetti straps*, low cut, backless, sheer, mini-skirts
Dress shoes, loafers, boots, or sandals	Sandals of any material which are commonly referred to as flip-flops, athletic shoes**, slippers

*Spaghetti strapped blouses or dresses must be covered by a cardigan or jacket.

**Athletic shoes may be worn if approved by your department's director.

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TITLE: PERSONAL APPEARANCE POLICY (5.25)

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**City of
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Uniform Requirements

Employees who are required to wear uniforms or employees who are involved in other specialized work environments as determined by the City are required to adhere to uniform standards established by the respective department head.

Employees participating in or demonstrating behavior that reflects discredit upon the City while wearing a uniform, clothing or clothing items that identify them as a City employee will be subject to disciplinary action.

All clothing should be worn in an appropriate manner, be free of any inappropriate logos or markings, and be clean and in a presentable condition.

B. Personal Appearance

Hygiene

All employees will report to work neat, clean, well groomed and dressed in appropriate attire.

- Hair shall be clean, neat and combed; hairstyles shall be appropriate and professional; hair color should be within the range of natural hair colors
- Facial hair shall be neatly trimmed and groomed
- Fingernails shall be clean and of an acceptable length
- Perfumes, scented sprays and lotions can be offensive and may present health risks to others; these products are to be used in moderation and out of concern for the comfort of others
- Make-up shall not appear exaggerated
- Personal hygiene includes regular cleansing, free of offensive odors, and appropriate oral hygiene

Jewelry and Body Art

Jewelry must be professionally appropriate. Visible tattoos may be permitted but may not be of an offensive nature.

Body Piercing

Visible body piercing should be kept to a minimum.

Managers should consider the appropriateness of hygiene, jewelry, body art and piercing given the nature of job duties and the impact on public confidence.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: PERSONAL APPEARANCE POLICY (5.25)

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**City of
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C. Compliance

Employees not in compliance with this policy will not be allowed to remain at work. Any work hours missed due to noncompliance will be charged against the employee's available leave, not to include sick leave. If leave is not available, the employee will be placed in a leave without pay status.

If an employee fails to correct the noncompliance within a reasonable period of time or continues to disregard the guidelines established in this policy, disciplinary action will be issued.

IV. RESPONSIBILITY

A. Human Resources

The Department of Human Resources is responsible for providing policy guidance.

B. Department Directors

Department directors have the responsibility for establishing personal appearance standards within their respective departments, which must comply with the guidelines established by this policy, and for ensuring consistent application of and monitoring adherence to this policy.

C. Managers/Supervisors

Managers and supervisors are responsible for enforcing the personnel appearance policy and addressing concerns with employees who are not in compliance.

D. Employees

Employees are responsible for following policy guidelines. Repeated disregard for this policy may result in disciplinary action up to and including termination.

V. HISTORY

N/A

VI. AUTHORITY

This policy has been established by the City Manager.

VII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: BACKGROUND CHECKS (5.26)

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**City of
Norfolk**

EFFECTIVE DATE: November 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "M. [unclear]", written over a horizontal line.

I. PURPOSE

The City of Norfolk is dedicated to sustaining a safe, secure, and productive work environment comprised of the most qualified workforce. This policy establishes clear and concise guidelines for the completion of background checks.

II. POLICY

Criminal Background Check

All employees, candidates and volunteers of the City are subject to a local and national criminal background check at the time of hire or during the course of employment. Candidates for hire and volunteers are required to undergo a national criminal background check (background check) and national sex offender registry (NSOR) check before beginning their first day of employment or volunteer assignment (and prior to attending orientation). The background and NSOR checks will be conducted utilizing a method approved by the Department of Human Resources.

A City of Norfolk Background Check Consent Form (consent form) which collects personal descriptive information for the purpose of obtaining state and national background information must be completed.

The consent form collects the following information:

- Legal name and all aliases
- Age
- Date of birth
- Place of birth
- Height
- Sex/Gender
- Weight
- Race/Ethnicity
- Current and previous addresses
- Driver's license number

The information requested to process a background check is not optional and must be provided in order to move forward in the employment or volunteer process. All offers of employment or volunteer work are contingent upon receipt of disqualifying information gained during this process.

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Information collected from the background check will be utilized to determine a candidate's fit for the position to which he/she has applied and to ensure that other factors, such as compliance with local, state, and federal laws are maintained. Past criminal conduct will not automatically disqualify applicants from employment. The Department of Human Resources will evaluate each candidate's criminal background based on the duties of the position, the length of time that has passed since the conviction, and the nature and gravity of the offense.

Upon receipt of the background and NSOR check results, the Department of Human Resources will notify the hiring department of the individual's eligibility to move forward in the process. If the results are such that preclude the individual from employment or volunteering, he/she must be notified, in writing, by the Department of Human Resources that the offer has been rescinded and he/she must be advised of the opportunity to receive a copy of the results in accordance with the Fair Credit Reporting Act (FCRA) guidelines.

1. Break in Service

Any employee who has a break in service of 90 or more consecutive days will be required to undergo a new national background check. Acceptable results must be reported by the Department of Human Resources to the employee's department before the employee will be permitted to resume work. Unacceptable background check results will result in discontinuation of or ineligibility for employment. Individuals will be advised of their background check results by the Department of Human Resources in accordance with this policy as stated above.

2. Barrier Crimes and Direct Care Guidelines

The City will maintain compliance with Virginia State Code sections 19.2-392.02, 63.2-1719, 37.2-314, 37.2-416, and other applicable sections.

Virginia State Code dictates that positions involving the provision of care to children, the disabled and elderly, are subject to the scrutiny of certain criminal actions which warrant automatic disqualification from eligibility for employment. Such scrutiny extends to those criminal actions which automatically disqualify an individual from serving in a "direct care" capacity as further defined by this policy.

Under these circumstances, no further review of the criminal background will be completed and offers of employment will be rescinded immediately. See appendix for a list of Barrier Crimes.

Questions regarding criminal history may be asked as a supplement to the initial employment application for positions with barrier crime and direct care restrictions.

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CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: BACKGROUND CHECKS (5.26)

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**City of
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3. Sensitive Operations/Positions

The City will maintain compliance with Criminal Justice Information Services (CJIS) Security Policy Version 5.2, section 5.12.1.1; Virginia State Code sections 15.2-632, and other applicable sections.

The City Manager and Director of Human Resources will designate departments and job classifications as sensitive.

Questions regarding criminal history may be asked as a supplement to the initial employment application for sensitive positions.

4. Post-Employment Background Checks

An employee's background may be reviewed at any point in employment for any of the following reasons:

- a) Receipt by the City of information which reveals pertinent and significant circumstances that may negatively impact an employee's eligibility for continued employment or poorly represents the core values of the City,
- b) Promotion or transfer into a sensitive position, direct care position, or a position with barrier crime restrictions, or other restrictions connected to the provision of direct care.
- c) Verification of any facts stated on the employment application upon initial hire.

Employees are required to immediately disclose to their immediate supervisor, in writing, any changes in their criminal backgrounds. Failure to immediately report post-employment charges and convictions may lead to disciplinary action up to and including termination.

Decisions related to disciplinary action will be made in accordance with the Corrective Action Guidelines and Procedures, Policy 8.3.

III. PUBLIC SAFETY AND EOC

Background checks for positions within Police, Fire, and the Emergency Operations Center (EOC) will be handled in accordance with the Civil Service approved processes, Federal and State Laws and in compliance with standard employment practices for designated positions.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

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IV. DEFINITIONS

A. Barrier Crimes:

Barrier Crimes are criminal convictions, misdemeanor or felony, involving abuse or neglect which automatically disqualifies an applicant from employment in positions which provide any form of care to children, the elderly or the disabled. (Derived from Virginia State Code.)

B. Break in Service:

A break in service refers to any separation from employment or volunteerism. A break in service can occur whether or not a letter of separation is submitted and includes separations due to lay-offs, reductions-in-force, resignations, terminations, seasonal stoppages, etc.

C. Candidate:

A person seeking employment, promotion, etc. with the City of Norfolk and is deemed suitable for the position sought.

D. Direct Care:

Direct care refers to any position that includes responsibility for, or supervision of individuals responsible for treatment, case management, health, safety, development, or well-being of an individual receiving services intended to reduce or ameliorate mental illness, intellectual disability, or substance abuse through care, treatment, training, habilitation, or other supports that are delivered by a provider to persons with mental illness, intellectual disability, or substance abuse. Exceptions to this definition are limited to those identified in Virginia Code Chapter 4, Section 37.2-416.

E. Employee:

A person who has been hired to work for the City of Norfolk in return for compensation.

F. Sensitive Operation:

A sensitive operation is a function or service which relates to handling or overseeing the control or exchange of money, property, or other valuable assets in a fiduciary capacity. The provision of public safety, social services, behavioral health and developmental services, and/or care to children, the elderly or disabled are considered sensitive operations.

G. Sensitive Position:

A position assigned to a department with a Sensitive Operations designation as determined by the City Manager and Director of Human Resources.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: BACKGROUND CHECKS (5.26)

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**City of
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H. Volunteer:

A person who performs or provides a service of free will without the expectation of compensation.

V. RESPONSIBILITY

A. Department of Human Resources

The Department of Human Resources is responsible for evaluating the results of background checks and advising hiring departments of candidates' eligibility. The Department of Human Resources is also responsible for notifying candidates if they are disqualified from a hiring process in accordance with FCRA guidelines.

B. Department Heads and Supervisors

Department heads and supervisors are responsible for ensuring that this policy is disseminated and maintained within their departments. They are also responsible for ensuring that information gained regarding alleged or confirmed criminal activity, charges, arrests, and/or convictions by employees is immediately provided to the Department of Human Resources.

C. Employees and Candidates

Both employees and candidates are responsible for accurately reporting all required information on the City of Norfolk Background Check Consent Form and for the timely reporting of any changes after its submission. Anyone who refuses to submit the consent form with regard to background checks will be disqualified from hire, promotion, or transfer. Any information not disclosed or falsely reported will result in automatic disqualification from the employment process.

Employees are additionally responsible for immediately reporting any additional charges and criminal violations they incur at any time after employment is obtained (post-employment) to their immediate supervisors. Failure to report any criminal violation may result in disciplinary action up to and including termination.

VI. HISTORY

Replaces Policy No. 5.26, Background Checks, Issued September 16, 2013.

VII. AUTHORITY

Section 2.1 – 38 of the Norfolk City Code

Background Check/Pre-employment Information: Title 15.2, Chapter 15 of the Code of Virginia, § 15.2-1503.1, § 15.2- 1505.1

Barrier Crime Definitions: Title 63.2, Chapter 17 of the Code of Virginia, § 63.2-1719

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Behavioral Health and Developmental Services/Background Checks Required: Title 37.2, Chapter 3 of the Code of Virginia, § 37.2-314 and Chapter 4 of the Code of Virginia, § 37.2-416

Criminal History Results Dissemination: Title 19.2, Chapter 23 of the Code of Virginia, §19.2-389

Criminal Justice Information Services (CJIS) Security Policy: Version 5.2, Section 5.12.1.1

Department of Public Safety: Title 15.2 Chapter 6 of the Virginia State Code, §15.2-632

VIII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources under advisement of the City Manager.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: VERIFICATION OF QUALIFYING CREDENTIALS (5.27)

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**City of
Norfolk**

EFFECTIVE DATE: September 16, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "M. D. Jones", written over a horizontal line.

I. PURPOSE

The City of Norfolk is dedicated to sustaining an innovative work environment comprised of the most qualified individuals. This policy establishes clear and concise guidelines for the completion of the verification of qualifying credentials.

II. POLICY

A. Education Verification

In the event that education is a requirement for the position as stated in the classification specification or is used as a factor in securing employment, compensation, or additional benefits for an individual, verification of education will be required. In these cases the individual must complete the information release authorization form disclosing his/her full educational background.

Upon receipt of the results of the education verification the Department of Human Resources will notify the hiring department of the outcome. If the results are such that preclude the candidate from employment, the candidate must be notified in writing by the Department of Human Resources that the offer of employment has been rescinded.

If the education verification was completed to support a request for additional compensation and/or benefits for a candidate or employee (via a *Request to Hire Above the Minimum* or similar document), he or she may either be deemed ineligible or eligible for a salary increase, promotion, or hire depending upon the circumstances. However, misrepresenting educational background on an employment application is considered falsifying employment documents and will be taken into account when considering future action.

B. Credit Verification

Verification of credit history will be conducted as a requirement for all managerial, supervisory, and entry level positions with responsibilities in the following functional areas and/or departments:

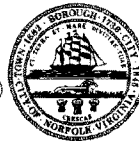
1. The exchange of monies (including cash handling and petty cash),
2. Processing of payments,
3. Procurement and purchasing,
4. Direct access to others' personal identifying information,
5. Positions in the Department of Human Resources,
6. Positions in the Department of Information Technology,
7. Positions in the Department of Finance, and
8. Positions in the Department of Budget and Grants Management.

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**City of
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The review of credit history will take into consideration any pattern of habitual non-payment or late payments, individual credit worthiness, and the total amount of indebtedness in comparison to the status/level of the position for which an individual is being considered. Each candidate will receive a copy of the Fair Credit Reporting Act (FCRA) for his/her records and will be provided the opportunity to explain any areas of concern to the Department of Human Resources before a hire decision is finalized.

If an offer of employment is rescinded, the candidate will be notified, in writing, by the Department of Human Resources and provided an opportunity to receive a copy of the results of his/her credit verification in accordance with FCRA guidelines.

III. PUBLIC SAFETY AND EOC

Education and credit verifications for positions within Police, Fire, and the Emergency Operations Center (EOC) will be handled in accordance with the Civil Service approved processes and in compliance with standard employment practices for designated positions.

IV. DEFINITIONS

A. Candidate:

A person seeking employment, promotion, etc. with the City of Norfolk and is deemed suitable for the position sought.

B. Employee:

A person who has been hired to work for the City of Norfolk in return for compensation.

V. RESPONSIBILITY

A. Department of Human Resources

The Department of Human Resources is responsible for evaluating and reporting the results of education and credit verifications to hiring departments and for notifying candidates if they are disqualified from a hiring process.

B. Department Heads and Supervisors

Department heads and supervisors are responsible for ensuring that this policy is disseminated and maintained within their departments. They are also responsible for ensuring that any information gained that may affect an employee's eligibility for employment as it relates to this policy is reported to the Department of Human Resources immediately.

C. Employees and Candidates

Both employees and candidates are responsible for accurately reporting all required information on the release of information authorization form and for the timely reporting of any changes after the submission of an application and/or form. Anyone who refuses to submit the information authorization form with regard to credit or

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education verification will be disqualified from the hire, promotion, or transfer process. Anyone who falsely discloses information either on the authorization form or the employment application may be disqualified from employment or terminated if hired.

Employees are additionally responsible for immediately reporting any additional changes to their credit or education history that may affect their eligibility for employment as it relates to this policy to their immediate supervisor. Failure to report this information may result in disciplinary action up to and including termination.

VI. AUTHORITY

Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681 et seq.

VII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources.

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CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: MEDIA RELATIONS POLICY (5.28)

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**City of
Norfolk**

EFFECTIVE DATE: November 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marcia A. [unclear]", written over a horizontal line.

I. PURPOSE

The City of Norfolk residents share a strong sense of pride in their community and desire a City government that is responsive to their needs. Therefore, the City is committed to engaging in a pro-active communications program to keep its residents, businesses and visitors informed. The City recognizes the media's vital role in enhancing the dissemination of information about the City's programs and activities.

It is extremely important that proper media identification is provided at the time of the media's request and that requests are handled promptly and efficiently. When information conveyed to the media is accurate and timely, it builds a good working relationship.

II. POLICY

The City Manager's Office is assigned primary and official responsibility for the City of Norfolk's media relations and the City Manager will designate an official to serve as the spokesperson for the City in lieu of the City Manager. The designated public relations official is responsible for coordinating information and preparing responses to the media that are approved on behalf of the City.

Only those representatives expressly stated or otherwise approved by the City Manager or the designated public relations official will be considered the official spokesperson(s) of the City. This policy does not apply to constitutional officers, council appointees or the City Attorney who may officially speak on behalf of the City, either directly or through designated deputies or assistant city attorneys.

III. PROCEDURE

City Spokespersons

The designated public relations official is responsible for preparing, approving and issuing all City of Norfolk news releases, unless prior arrangements have been made. The designated public relations official makes final determinations regarding the potential newsworthiness of information, as well as the manner in which it should be released to the media. The City Manager's Office establishes and maintains a comprehensive media contact list for dissemination of news releases. All official releases must be issued on the City's letterhead, unless otherwise approved in advance.

Media Inquiries

Any media inquiries received by City employees should be referred immediately to the City Manager's Office for the designated public relations official's review and the

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CHAPTER 5: EMPLOYEE GENERAL POLICIES
TITLE: MEDIA RELATIONS POLICY (5.28)
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coordination of an appropriate response on behalf of the City Manager. The designated public relations official may choose to provide the information or may arrange interviews with other employees. Upon the advance approval of the City Manager or the designated public relations official, other spokespersons may be authorized to address particular inquiries or situations.

City employees are expected to provide members of the media with the same respect and courtesy afforded to any other customer. When contacted by the media for an official statement on behalf of the City the employee shall:

1. Indicate it is City policy to inform the designated public relations official before providing such information to the media.
2. Ask the media contact for their name and title, the organization they represent, their telephone number, and their deadline for receiving the information.
3. Advise the media contact that someone will get back to them as soon as they are available.
4. Immediately contact and relay the media request to their supervisor. The supervisor shall then immediately contact the designated public relations official, by either email or telephone. In instances when the supervisor is not available, the employee shall immediately contact their department director or the designated public relations official.

Access to Public Settings

The media has a legal right to observe, photograph and/or record any event or any person in a public setting. City employees shall not volunteer any information to the media, unless previously designated by the City Manager or the designated public relations official.

If a member of the media arrives at any City location unannounced, the designated public relations official is to be contacted immediately in order to provide assistance and coordinate the media's activities.

Requests for Information

Requests to review or obtain copies of existing City documents may carry legal implications and potential liabilities for the City under the Virginia Freedom of Information Act (FOIA). Employees receiving requests for information should immediately contact the Program Supervisor in the Department of Communications and Technology.

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CHAPTER 5: EMPLOYEE GENERAL POLICIES

TITLE: MEDIA RELATIONS POLICY (5.28)

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Public Safety Matters

The City Police and Fire-Rescue Departments have designated uniformed officers and other internal staff who serve as official spokespersons regarding law enforcement matters and incidents requiring emergency response. Media inquiries regarding such matters should be referred immediately to the appropriate Police or Fire-Rescue Department personnel.

In all instances related to law enforcement or emergency response, the designated public relations official should be advised immediately of any unusual incidents likely to garner significant media attention or which may warrant further involvement of the City Manager's Office.

IV. CONFIDENTIALITY

The City of Norfolk maintains a number of policies to protect City information. In accordance with these policies, all employees during their employment with the City or at any time thereafter must protect all sensitive information by using such information only for approved purposes, controlling its dissemination, and reducing to the extent reasonably possible the risk of its unauthorized use or disclosure.

V. RESPONSIBILITY

A. Department Directors

Department directors are responsible for ensuring this policy is fully implemented and enforced.

B. Managers/Supervisors

Managers and supervisors are responsible for communicating and adhering to the guidelines established in this policy, including:

- Notifying their department director and the designated public relations official whenever they are contacted by the media.
- Notifying the designated public relations official, directly and immediately, if the topic is sensitive or significant.

C. Employees

Employees are responsible for following the guidelines established in this policy.

VI. HISTORY

N/A

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TITLE: MEDIA RELATIONS POLICY (5.28)

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**City of
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VII. AUTHORITY

This policy has been established by the City Manager.

VIII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources under advisement of the City Manager.

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CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Identification Card Policy (5.29)

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**City of
Norfolk**

EFFECTIVE DATE: October 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marc D. Jones", is written over a horizontal line.

I. PURPOSE

The City of Norfolk is committed to providing the highest quality public service while maintaining a safe environment for its employees and the public. The purpose of this policy is to provide guidelines for the issuance, utilization and display of employee identification (ID) cards in an effort to facilitate the identification of employees while at work or when representing the City and to provide access to City facilities and designated work areas as authorized.

II. POLICY

All employees will be issued and are required to wear, or maintain in their personal possession, a City of Norfolk ID card at all times while conducting City business. It is recognized that some City departments issue and have established departmental policies with regards to ID cards which are unique and are designed to meet organizational needs; therefore, employees are also required to adhere to established departmental ID card policies.

This policy also includes provisions for ID cards for volunteers and specialized community programs, as well as some service vendors and contractors working on City work sites. These individuals are required to follow the guidelines established within this policy.

III. PROCEDURE

ID cards are issued upon the authorization of the Department Head, or their designee, and the Security Manager.

Issuance

Employees

ID cards will be issued to new employees within a reasonable amount of time after the start of their employment.

New ID cards will be issued after five years of the original issue date.

ID cards are issued for the exclusive use of the named employee and are not to be loaned or transferred to anyone. Employees are responsible for the care and safeguarding of their ID card.

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CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Identification Card Policy (5.29)

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ID cards will be imprinted with the employee's photo, name, classification, department, employee identification number and expiration date. Photos taken to be used for ID cards are considered part of the employee's personnel file. Identification photos will not be used for any purposes other than ID cards or other security purposes.

Non-employees

Requests for ID cards for volunteers, specialized community program participants, vendors and contractors are generated by the Department Head for which the specialized program is being administered or services are being provided.

ID cards will be issued for a specified period of time based upon the program or services provided.

ID cards are issued for the exclusive use of the named individual and are not to be loaned or transferred to anyone. The ID card holder is responsible for the care and safeguarding of their ID card.

ID card information will include, but not be limited to, an imprint of the individual's photo and name. Identification photos will not be used for any purposes other than ID cards or other security purposes.

Display

Departments will be responsible for ensuring that ID cards are worn and displayed based upon operational requirements.

All employees will be required to wear, or maintain in their personal possession, an ID card when conducting City business or representing the City. ID cards should be displayed on or above the outermost garment, between the collar and above the waist with the photo facing out. Employees must willingly present an ID card immediately upon request.

Utilization

ID cards are used for the purposes of identification and, depending on work location and job duties, may be used as electronic door keys or to gain access to certain facilities or designated work areas.

Facility and work area access is issued upon the authorization of the Department Head, or their designee, and the Security Manager.

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TITLE: Employee Identification Card Policy (5.29)

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**City of
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Upon entry into an authorized facility or work area, employees are not permitted to allow a person to "piggy-back" through a secure entrance requiring an ID card. Physical piggybacking is a method for gaining access to controlled access areas when control is accomplished by electronically or mechanically locked doors. Piggybacking occurs when an authorized individual gains access utilizing their ID card and another individual enters on that access. Employees who have been authorized facility or work area access by use of their ID card are required to scan their ID card when entering an authorized facility or work area.

ID cards are not to be loaned or transferred to anyone. Any falsification, alteration or tampering of an ID card will be grounds for corrective action.

Replacement

Employees are responsible for immediately reporting a lost, stolen or damaged ID card to their immediate supervisor. Supervisors are responsible for reporting the lost, stolen or damaged ID to the Department of Human Resources, or the issuing department, and the Security Manager.

One replacement ID card will be issued at no cost to the employee. Additional replacement cards will be \$15 and at the expense of the employee. Replacement ID cards require the same issuance procedure identified in this policy.

ID cards damaged in the course of work will be replaced at no cost to the employee once the damaged ID card has been surrendered.

Surrender

ID cards remain the property of the City and must be surrendered upon request or upon separation of employment.

Employees placed on pre-disciplinary leave or suspension will be required to surrender their ID card for the leave or absence period.

ID cards surrendered upon separation of employment or at the conclusion of a program or service should be returned to the Department of Human Resources or the issuing department for final disposal.

IV. RESPONSIBILITY

A. Employees

All employees are responsible for adhering to the guidelines established in this policy.

Employees are to ensure their ID card accurately reflects displayed information, e.g. employee name, job classification, assigned department, employee identification

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CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Employee Identification Card Policy (5.29)

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**City of
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number and physical appearance. Significant changes in physical appearance will require the issue of a replacement ID card. Replacement cards will be issued in accordance with the procedures identified in this policy.

B. Managers/Supervisors:

It is the responsibility of managers and supervisors to enforce the requirements of this policy.

Managers and supervisors are also responsible for enforcing any departmental policies and procedures regarding the issuance, use and display of ID cards.

Managers and supervisors must collect the ID card and notify the Security Manager when an employee is on a leave of absence related to pre-disciplinary leave or suspension to temporarily deactivate the employee's ID card at the onset of the leave of absence. The ID card will be reactivated when the Security Manager is notified that the employee has returned to work.

Managers and supervisors are expected to model appropriate behaviors and expectations outlined in the policy.

C. Department Heads

Department Heads will be responsible for ensuring that this policy is fully implemented and enforced.

Department Heads are responsible for developing and communicating departmental policies and procedures for ID cards.

Department Heads (or authorized designee) must approve requests for ID cards and, when necessary, access to City facilities and work areas as necessary.

When an employee is separated from the City, the Department Head, or their designee, must immediately collect the ID card and notify the Department of Human Resources, as well as the Security Manager in order to deactivate the employee's ID card.

D. Human Resources

The Department of Human Resources is responsible for providing policy administration and guidance and issuing ID cards.

E. Security Manager

The Security Manager is responsible for reviewing and approving ID card requests for building access and forwarding the approved request to the Department of Human Resources and the Central Energy Plant. The Security Manager is also responsible for ID card deactivation.

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TITLE: Employee Identification Card Policy (5.29)

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**City of
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V. HISTORY

N/A

VI. AUTHORITY

This policy has been established by the City Manager.

VII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: SOCIAL MEDIA POLICY (5.30)

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**City of
Norfolk**

EFFECTIVE DATE: April 1, 2015

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marcia D. Jones", written over a horizontal line.

I. PURPOSE

The City of Norfolk supports the use of social media for the purpose of enhancing communication and community engagement. The use of social media outlets is intended to expand communication and enrich services. This policy provides guidelines for the appropriate use of social media.

II. POLICY

The City has a vested interest and expectation in determining communication that is presented on behalf of the City on social media. This communication includes any material whether written, audio, video, photographic, or otherwise on any website, blog or any other medium accessible via the Internet.

This policy applies to all City employees, as well as, any individual acting on behalf of the City in any capacity.

All City of Norfolk presence on social media sites or services are considered an extension of the City's information networks and require the approval of the Chief Information Officer or designee.

The City maintains an official online presence. The City's primary and predominant internet presence shall remain www.norfolk.gov and no other website, blog or social media site shall characterize itself as such.

III. PROCEDURE

All City and departmental social media sites and utilization shall be (1) approved by the department head; and (2) approved by the Chief Information Officer or designee.

All requests for the utilization of social media shall be submitted in writing by a department head to the Chief Information Officer. The Chief Information Officer, or designee, will be responsible for the review and approval of requests for the utilization of social media to ensure suitability of use, responsible use of City resources and to protect the City's assets. Administrative changes to existing sites shall be reported to the Chief Information Officer.

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TITLE: SOCIAL MEDIA POLICY (5.30)

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Standards

The Chief Information Officer will establish, implement and maintain standard operating procedures for the use of social media.

The Chief Information Officer shall maintain a list of social media tools which are approved for use by City departments and employees, as well as a list of all City social media sites, including login and password information. The City must be able to immediately edit or remove content from social media sites. Social media content and activity will be monitored, by the Chief Information Officer or designee, to ensure policy adherence and that utilization is consistent with the goals of the City. The Chief Information Officer may remove any information deemed to be in violation of this policy.

The use of social media tools, software, hardware, and applications will be applied in a consistent, citywide manner. All hardware, software, tools, and applications must be approved by the Chief Information Officer or designee.

Social media sites shall contain a visible statement noting the purpose of the site is to promote effective communication between the City and the community and that all postings are subject to review and deletion by the City. Content or postings shall not involve or be related to:

- Untruthful or inaccurate information
- Offensive language or content of a sexual nature
- Defamatory, libelous, offensive or demeaning content
- Disparaging/threatening comments
- Personal attacks or combative exchanges
- Comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, color, religion, gender, sex, national origin, pregnancy status, age, sexual orientation, disability, veterans' status, genetic information or any other characteristics protected by law
- Private/personal matters
- Personal, sensitive or confidential information
- Advertising or links to other sites; spam
- Illegal activity
- Promoting particular services, products, or organizations
- Political activity
- Infringement of copyrights or trademarks
- Personally identifiable medical information
- Information that may compromise the safety, security or proceedings of public systems or any criminal or civil investigations

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CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: SOCIAL MEDIA POLICY (5.30)

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The use of the official City name, City seal or logo, City email address or job title shall be deemed an attempt to represent the City in an official capacity. Other communications leading a viewer to conclude that a posting was made in an official capacity shall also be deemed an attempt to represent the City in an official capacity.

Departments

Departments desiring to utilize social media may consult with the Department of Communications & Technology for assistance with achieving identified goals, developing appropriate uses for social media and selecting appropriate social media outlets.

Department heads, upon approval from the Chief Information Officer, have the option of allowing employees to participate in social networking sites as part of their job duties. Employee participation in any social media activities may be discontinued at any time.

Department heads are responsible for the content of any social media sites created pursuant to this policy.

Departments that utilize social media are responsible for complying with applicable federal, state, and local laws, regulations, and policies. This includes, but is not limited to, adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), First Amendment, privacy laws and information security policies established by the City of Norfolk.

Wherever possible, links to additional information should direct users back to the City's official website for more information, forms, documents or online services necessary to conduct business with the City of Norfolk.

Employees

An employee must have approval of their department head and the Chief information Officer, or the latter's designee, to utilize social media. Utilization may be discontinued at any time.

Employees utilizing social media are responsible for complying with applicable federal, state, and local laws, regulations, and policies. This includes, but is not limited to, adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), First Amendment, privacy laws and information security policies established by the City of Norfolk.

An employee may not characterize him or herself as representing the City, directly or indirectly, in any online posting prior to obtaining written authorization from their Department Head or the Chief Information Officer or designee.

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**City of
Norfolk**

Employees representing the City via social media outlets must conduct themselves at all times in accordance City policies, e.g. Code of Ethics (5.7), Media Relations Policy (5.28), Business Conduct Policy (8.8), Anti-Discrimination Policy (8.9), Anti-Harassment Policy (8.10), Anti-Retaliation Policy (8.11), Workplace Violence Policy (8.12), Customer Service Policy (8.13), etc.

Employees posting content or comments in a non-official capacity, shall take reasonable care not to identify themselves as an employee of the City. When the identity of an employee posting on a non-City social media site is apparent, the employee shall clearly state that he or she is posting in a private capacity.

Employees should ensure their participation in social media activities does not:

- impair the efficiency of the workplace
- impair the maintenance of discipline by supervisors
- impair harmony among coworkers
- damage close personal relationships
- impede the performance of their duties as a public employee
- interfere with organizational operations
- violate any provision of the City Charter, City Code, or any other city or departmental policy, rule or procedure
- undermine the mission/goals of the City
- conflict with their responsibilities within the City
- abuse the authority and public accountability their role within the City entails

Confidentiality

Employees posting on a social media sites shall take reasonable care not to disclose any confidential information in any posting.

IV. RESPONSIBILITY

A. Employees

Employees are responsible for:

- Complying with the guidelines established in this policy and with the standard operating procedures established by the Chief Information Officer.
- Ensuring proper retention of messages, social media posts and communications which may be public records.

B. Department Heads/Managers/Supervisors

Supporting and adhering to the guidelines established in this policy and with the standard operating procedures established by the Chief Information Officer.

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C. Chief Information Officer

The Chief Information Officer is responsible for:

- Supporting and adhering to the guidelines established in this policy.
- Establishing standard operating procedures for the use of social media.
- Monitoring the use and content of City and departmental social media sites to ensure policy and procedure compliance.

D. Human Resources

The Department of Human Resources is responsible for the oversight and administration of this policy.

V. DEFINITIONS

Social Media - All means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or chat room, whether or not associated or affiliated with the City, as well as any other form of electronic communication.

VI. HISTORY

N/A

VII. AUTHORITY

This policy has been established by the City Manager.

VIII. REGULATION UPDATE

Modifications to this policy shall be the responsibility of the Department of Human Resources in partnership with the Chief Information Officer under the advisement of the City Manager.

Policy and Administrative Regulations

CHAPTER 5: EMPLOYEE GENERAL PRACTICES

TITLE: Telework Policy (5.32)

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EFFECTIVE DATE: July 1, 2015

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The Telework Policy is established to provide for an alternative work arrangement which may allow for work to be performed at an alternate work site. The purpose of this policy is to provide guidelines that enable employees to perform work at a location other than their regular work site.

II. POLICY

The City recognizes telework as an opportunity to embrace technology, enhance productivity, creativity, recruitment, employee satisfaction and retention, reduce operating costs, and/or maintain operations during emergencies or closings. Telework is an arrangement established first and foremost to facilitate the accomplishment of work.

Department heads are responsible for establishing guidelines for determining which positions within their respective department are appropriate for telework. These guidelines should ensure telework does not diminish employee performance or service delivery.

Not all positions within the City are suited for telework. The City retains the discretion and obligation to determine employee eligibility for telework subject to business-related, operational needs and limitations.

Employee participation in telework is voluntary. An employee may not be compelled to telework, even if the duties of the position make that employee telework eligible.

All telework agreements must meet the criteria in this policy and may be terminated at any time by either the employee or the City.

III. PROCEDURE

An employee who is interested in telework must complete and submit a Telework Request and Agreement (TRA) form (Appendix A) to their supervisor. The supervisor should review the TRA and ensure the request is consistent with operational needs and that the TRA adheres to this policy. Once approved by the supervisor, the TRA must also be approved by the department head and forwarded to the Department of Human

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Resources for final approval. Telework agreements allowing the majority of scheduled work hours to be performed at an alternate work site will require final approval by the City Manager. Telework may not be implemented prior to final approval.

If an employee wishes to modify or cancel an approved TRA, a new TRA must be completed and approved. When an employee with an approved TRA is assigned to a new supervisor or when an employee with an approved TRA changes positions, he/she must adhere to the work schedule established by the new supervisor, or for the new position, or submit a new TRA.

There are two types of telework: (1) routine telework in which telework occurs as part of an ongoing, regular schedule and (2) situational telework that is approved on a case-by-case basis, where the hours worked were not part of a previously approved, ongoing and regular telework schedule.

Examples:

Routine Telework

- Regular and recurring telework schedule
 - Teleworks one day per month
 - Teleworks every other Tuesday
 - Teleworks every Wednesday
 - Teleworks the majority of scheduled work hours; this agreement requires final approval by the City Manager

Situational Telework

- Situational, episodic or ad-hoc
 - Needed for short-term uninterrupted time to complete work on a complex project or report
 - An employee is recovering from illness or injury and is temporarily unable to physically report to the regular work site
 - Business office closing due to inclement weather or emergency

Situational telework provides flexibility that allows employees to telework from an alternate work site, to the extent practicable, when severe weather conditions or other circumstances disrupt or prevent employees from commuting or reporting to work. An approved TRA must be in place prior to the implementation of situational telework.

Telework-approved employees are expected to continue to be productive and perform work during closures in response to severe weather, special events and other emergency situations. Teleworkers may not be eligible for approved inclement weather leave.

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Eligibility

All positions are not telework eligible. Department heads have the discretion to determine telework eligibility criteria for positions within their department. Telework should be implemented strategically, taking into account operational and business needs.

When making an eligibility determination regarding telework, management must ensure that telework will not diminish employee performance or operational/business needs. Management will need to consider if job duties result in specific measurable work products and are portable, meaning those duties that can be performed at any location, e.g. writing, reading, calculating, analyzing, designing, programming, managing data and similar tasks that do not necessarily require an employee be physically present at the regular worksite. The amount of portable work activities should factor into determining how often an employee may be permitted to telework.

Telework arrangements must ensure a positive impact on the work of other members of the work group, e.g. coworkers and supervisors. Work units that have structure, defined work assignments, cross-trained team members, back-up plans, and can operate effectively when one or more employees are away from the regular work site may be suited for telework.

Employee Suitability

In addition to determining whether a position is suited for telework, department heads are responsible for determining employee suitability for telework. Successful telework employees generally are:

- Able to work productively and independently
- Self-motivated and flexible
- Knowledgeable
- Dependable and trustworthy
- Exceeding performance expectations
- Organized
- Excellent communicators

Telework is not appropriate for all employees. No employee is entitled to, or guaranteed the opportunity to telework. Employees who have received discipline in the twenty-four (24) months preceding the date of the TRA submission are not eligible for telework.

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Authorization

Telework Request and Agreement forms are to be submitted to the employee's supervisor. The TRA must be approved by the supervisor, department head and the Department of Human Resources. Telework agreements allowing the majority of scheduled work hours to be performed at an alternate work site will require final approval by the City Manager. Telework may not be implemented prior to final approval of the TRA.

Telework requests may be denied. Telework agreements may be terminated at any time by either management or the employee. Management should advise the employee in writing of the termination of a TRA. An employee desiring to cancel a telework agreement should complete a TRA and submit it to their supervisor.

Performance Management

An employee's performance will be evaluated in accordance with the City's Performance Management Policy. Policy No. 8.1.

It is imperative a discussion between the supervisor and the employee occurs regarding performance expectations at an alternate work site. The TRA provides a guide for this discussion to ensure the expectations of both the supervisor and the employee are understood, e.g. communication and availability expectations, equipment, technical assistance, customer service, telework schedule/work hours, performance goals/objectives, etc.

Compensation

An employee's compensation will not change as a result of telework. Compensation is governed by the City of Norfolk's Compensation Plan.

Work Hours

The total number of hours that an employee is expected to work at an alternate work site will not change. Employees agree to apply themselves to their work hours regardless of the work site.

An employee may be recalled during a telework day to the regular work site to meet business-related needs. In this circumstance, an alternate telework day may or may not be authorized by the supervisor.

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Overtime

Teleworkers who are not exempt from the requirements of the Fair Labor Standards Act are subject to the usual rules governing working hours and overtime of related policies.

Holidays

If a telework day falls on a holiday, the teleworker receives the holiday off with pay subject to the usual restrictions and requirements of related policies.

Leave

Leave must be requested and approved in accordance with the City's Leave Policy, Policy No. 4.1.

Telework is not intended to be used in place of sick leave, Family and Medical Leave, Workers' Compensation leave, or other types of leave.

A determination may be made as to whether or not it is appropriate to authorize telework as an opportunity for partial or full return to work based on policy and the criteria normally applied to decisions regarding the approval of telework.

Communication

Employees engaging in telework will be expected to maintain regular and effective communication with their supervisor, coworkers, and customers.

Evaluation

After the employee begins a telework arrangement, the employee's immediate supervisor should conduct periodic reviews with the employee to evaluate the success of the arrangement. It is recommended reviews be conducted within the first 30 days, at the end of three months, at the end of six months, after one year and every six months following the initial first year implementation.

Workspace

A designated work area is required for telework. A separate work space will mean a safer workspace with fewer distractions or interruptions and a higher level of discipline and organization. The City retains the right at the start of and throughout the telework program to inspect all alternate work sites with reasonable advance notice to confirm

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that the work site is safe, and to maintain, inspect, repair or retrieve City owned equipment, software, data or supplies.

Confidentiality

Employees will maintain the confidentiality of all City information, documents, prevent access to any City system or information, and dispose of work related documents in a manner that will not jeopardize the interests of the City.

Security

Security measures should cover not only information systems and technology, but all aspects of the information systems used by the employee, including paper files, other media, storage devices, and telecommunications equipment, e.g. laptops, PDAs and cell phones. Employees who telework from their personal residence need to keep City property and information safe, secure, and separated from their personal property and information.

Employees must ensure compliance with organizational policies issued by the Department of Communications and Technology governing information technology and telecommunication and electronic data resources.

Safety

Employees desiring to participate in telework must complete the self-certification Safety Checklist (Appendix B) which is designed to assess the overall safety of the alternate work site. The completed checklist, with all items affirmed on the checklist, must be submitted to the employee's supervisor prior to the implementation of telework.

Equipment and Materials

The City may require an employee to use personal equipment, e.g. personal computer, modem, etc., in order to work from an alternate work location. The City may provide equipment and materials needed by an employee to effectively perform their assigned duties. Equipment necessary to perform work must be specified in the TRA.

City owned equipment may only be used for legitimate City business purposes by authorized employees. City owned equipment shall only be maintained, serviced and repaired by the City.

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When employees are authorized to use personal equipment, the City will not assume responsibility for equipment cost, repair or service.

Liability and Workers' Compensation

The City is not liable for non-City owned or managed environments in which an employee is approved to telework. Teleworkers are responsible for any third party injuries that occur in the alternate work space. The City will not assume responsibility for operating or maintenance costs or any other costs incurred by employees in the use of their personal residence or other City approved alternate work location.

Workers' Compensation benefits may be available for job-related injuries that occur in an alternate work site. Injuries must have occurred in the course of the performance of official duties in the designated alternate work site during working hours. The employee is responsible for immediately notifying their supervisor of any accident or injury that occurs at the alternate work site and for completing any required forms. The City is not liable for third parties and/or members of the employee's family for injuries incurred at an approved alternate work site.

Dependent Care

The telework must be performed in a professional manner and not subject to noise or distraction. Therefore, telework may not be used as a substitute for dependent care. Moreover, if children or adults in need of primary care are near the alternate work site during the employee's work hours, some other individual must be present to provide the care. The telework employee must be the only person present in the alternate work site during the approved work period.

IV. RESPONSIBILITY

A. Employees

Employees interested in telework must complete and submit a Telework Request and Agreement form to their supervisor. Final approval must be obtained prior to beginning a telework arrangement. Employees must comply with the guidelines and requirements established within this policy, as well as related City and departmental policies.

B. Managers/Supervisors:

Managers and supervisors are responsible for:

- Approving or denying and processing Telework Request and Agreement forms.
- Employee performance management.

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- Ensuring performance expectations to be performed at an approved alternate work site are clearly communicated.
- Regular communication with the telework approved employee.
- Evaluating the telework arrangement.
- Maintaining the completed self-assessment Safety Checklist.
- Adhering to the guidelines established within City and departmental policies.

C. Department Heads

Department heads are responsible for:

- Determining telework eligibility criteria for positions within their respective department.
- Determining employee suitability for telework.
- Approving or denying and processing Telework Request and Agreement forms.
- Adhering to the guidelines established within City and departmental policies.

D. Human Resources

Human Resources is responsible for:

- Approving or denying, processing and maintaining a record of all approved Telework Request and Agreement forms.
- Providing policy oversight, administration and guidance.

V. DEFINITIONS

- A. Telework – A work arrangement in which work activities are performed at an alternate worksite, e.g. employee's personal residence, other approved telework location, etc.
- B. Alternate Work Site – A location approved as suitable for the performance of work activities, e.g. employee's personal residence, an approved office space, etc.
- C. Regular Work Site – A location where the employee is normally assigned to perform work activities.
- D. Telework Request and Agreement (TRA) – The written request and agreement between the employer and employee that defines the terms and conditions of an employee's work away from his/her regular work site. A TRA is required for telework. See Appendix A.
- E. Safety Checklist – A written self-certification safety checklist designed to assess the overall safety of the alternate work site. See Appendix B.

VI. HISTORY

N/A

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VII. AUTHORITY

This policy has been established by the City Manager pursuant to the authority granted by Section 15.2-1512.3 of the Virginia Code.

VIII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.



TELEWORK REQUEST AND AGREEMENT

POLICY NO. 5.32 - APPENDIX A

This agreement specifies the guidelines applicable to an arrangement for performing work at an alternate work site. An employee interested in telework must submit a completed Telework Request and Agreement (TRA) form to their supervisor. The TRA must be approved by the supervisor, department head and the Director of Human Resources. Telework may not be implemented prior to final approval of the TRA by the Director of Human Resources. Telework agreements may be terminated at any time by either management or the employee.

Employee Name: _____ Employee ID: _____

Department/Bureau: _____

Type of Request: ☐ New ☐ Modified ☐ Termination

Type of telework requested: ☐ Routine (Regular and recurring)
☐ Situational (Situational, episodic or ad-hoc)

Work Location/Schedule: (Complete this section for routine telework requests only.)

Regular Work Site: _____
(Be specific, location, address, etc.)

Regular Work Site Schedule:

Check (v)	Work Day	Work Hours Per Work Day (e.g. 8:30 AM – 5:00 PM)
	Monday	
	Tuesday	
	Wednesday	
	Thursday	
	Friday	
	Saturday	
	Sunday	

Alternate Work Site: _____
(Be specific, location, address, etc.)

Alternate Work Site Schedule:

Check (v)	Work Day	Work Hours Per Work Day (e.g. 8:30 AM – 5:00 PM)
	Monday	
	Tuesday	
	Wednesday	
	Thursday	
	Friday	
	Saturday	
	Sunday	

Additional hours involving overtime at any work site must be approved in advance by the supervisor.

Performance Expectations:

Duties and assignments authorized to be performed at the alternate work site are:

Management reserves the right to assign work as necessary at any work site.

Communication:

Effective communication is essential for this arrangement to be successful, the following methods and times of communicating are agreed upon: *(Specify who (include backup and emergency contacts), when, how often, during what time frame, how (phone, email, etc.)*

Equipment and Materials:

The following equipment and materials are necessary to perform the duties and assignments at the approved alternate work site as identified above. (List specific equipment, including any serial or tag numbers, and identify whether City issued or employee's personal items.)

Location of Alternate Workspace:

Employee Acknowledgement:

- I agree to participate in telework and to adhere to this agreement.
- I have read, understand and agree to adhere to the guidelines and requirements established in the Telework Policy, Policy No. 5.32.
- I agree to remain accessible during the designated alternate work schedule, and understand that management retains the right to modify this agreement based upon business/operational needs.
- I agree to maintain a safe and secure alternate work environment; I agree to allow the City access to assess safety and security of the alternate work site upon reasonable notification.
- I understand that all equipment, records and materials provided by the City shall remain the property of the City.
- I agree to immediately return any City issued equipment, records and materials provided by the City within 5 calendar days of the termination of this agreement.

Employee's Signature: _____ Date: _____

☐ Approved ☐ Disapproved

Manager's or Supervisor's Signature: _____ Date: _____

☐ Approved ☐ Disapproved

Department Head's Signature: _____ Date: _____

☐ Approved ☐ Disapproved

Director of Human Resources' Signature: _____ Date: _____

☐ Approved ☐ Disapproved

City Manager's Signature: _____ Date: _____



SAFETY CHECKLIST

POLICY NO. 5.32 - APPENDIX B

Employees desiring to telework must complete the self-certification Safety Checklist designed to assess the overall safety of the alternate work site. The completed checklist must be submitted to the employee's supervisor prior to the implementation of telework. A copy of the completed checklist should be maintained by the supervisor and the original forwarded to the Department of Human Resources.

Employee Name: _____ Employee ID: _____

Department/Bureau: _____

Type of telework: ☐ Routine (Regular and recurring)
☐ Situational (Situational, episodic or ad-hoc)

Alternate Work Site:

Location: _____

Address: _____

Alternate Work Site Environment:

Safety Checklist	Yes	No
General Safety		
Do you have a separate dedicated work area away from distractions and obstructions?		
Is office equipment, e.g. desk, chair, computer, etc., of appropriate design and arranged to eliminate strain on all parts of the body?		
Is the lighting adequate for assigned tasks?		
Are heating, ventilation and air conditioning systems adequate for assigned tasks and in good repair?		
Are computer components kept out of direct sunlight and away from heaters?		
Are all stairs with four or more steps equipped with handrails?		
Are chairs' casters (wheels) and the rungs and legs of the chairs sturdy?		
Are floor surfaces clean, dry, level and free of worn or frayed seams?		
Are carpets secured to the floor and free of frayed or worn seams?		
Are cords, cables or other items arranged to prevent a tripping hazard?		
Are heavy items securely placed on sturdy stands close to walls?		
Are all areas maintained in a clean and orderly condition to reduce the risk of fire and to prevent slips, trips and falls?		
Fire Safety		
Are emergency phone numbers posted in a conspicuous location?		
Do you have an evacuation plan so you know what to do in the event of a fire?		
Are fire exits clearly defined and unobstructed?		
Is there a working smoke detector covering the designated work area?		
Are smoke detectors tested monthly and are batteries replaced annually?		
Is there a charged and accessible dry chemical fire extinguisher?		
Is the dedicated work area neat, clean and free of excessive amounts of combustible materials?		

Safety Checklist
Policy No. 5.32 - Appendix B
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Safety Checklist	Yes	No
Electrical Safety		
Do you have sufficient accessible electrical outlets?		
Are all electrical plugs, cords, panels and receptacles in good condition and free of exposed conductors or broken insulation?		
Are all circuit breakers or fuse panels properly labeled and accessible?		
Are three-wire grounded outlets or circuit breaker power strips used? Note: Older homes with two-wire grounded outlets that require plug adapters will not afford adequate protection for personal computers.		
Is there sufficient ventilation for electrical components?		

The employee will designate a work area at the approved alternate work site and will maintain this designated work area in a safe condition, free from hazards and other dangers to people and equipment. The City may make on-site visits to the approved alternate work site, at a mutually agreed upon time, to ensure the designated work area is safe and free from hazards, to conduct an ergonomic assessment and to maintain, repair, inspect or retrieve City owned equipment, software, data, supplies, etc.

Employee Signature: _____ Date: _____

Manager or Supervisor Signature: _____ Date: _____



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
6.0**

**Date Issued
1 January 2004**

**Subject:
EQUAL
EMPLOYMENT
OPPORTUNITY**

INDEX PAGE

EQUAL EMPLOYMENT OPPORTUNITY

Policy and Administrative Regulations

CHAPTER 6: EQUAL EMPLOYMENT OPPORTUNITY

TITLE: Equal Employment Opportunity Policy (6.1)

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**City of
Norfolk**

EFFECTIVE DATE: November 1, 2014

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "M. [unclear] [unclear]", written over a horizontal line.

I. PURPOSE

The City of Norfolk is an equal opportunity employer and is committed to ensuring a workplace that prohibits discrimination, harassment and retaliation and affords equal employment opportunities to those seeking employment, working for or conducting business with the City.

II. POLICY

It is the policy of the City of Norfolk to provide equal opportunity in City employment and to prohibit discrimination, harassment and retaliation in all aspects of employment. Employment decisions are made without regard to race, color, religion, gender, sex, national origin, pregnancy status, age, sexual orientation, disability, veterans' status, genetic information or any other characteristics protected by law. These employment decisions include recruitment, selection, hiring, promotion, assignment, working conditions, performance evaluation, corrective action, reduction-in-force, layoff, termination, compensation, employee benefits, training and application of policies.

This policy also applies to individuals working on City property who are independent contractors, employed by temporary agencies and any other persons conducting business with or on behalf of the City.

III. PROCEDURE

Notices

All City facilities shall post, in a conspicuous place, Equal Employment Opportunity posters provided by the Equal Employment Opportunity Commission (EEOC). Department heads will be responsible for ensuring EEOC posters are, and remain, posted at all City facilities within their assigned department. Posters are available on the EEOC website at <http://www1.eeoc.gov/employers/poster.cfm>.

Employment

The City encourages diversity of its workforce and makes efforts to ensure a workforce reflective of the community it serves. The City's job listings and advertisements for employment opportunities will include an "Equal Opportunity Employer" statement.

Employment actions, including but not limited to, hiring, promotion, work assignments, training, working conditions, performance evaluation, corrective action, compensation,

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CHAPTER 6: EQUAL EMPLOYMENT OPPORTUNITY

TITLE: Equal Employment Opportunity Policy (6.1)

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**City of
Norfolk**

and application of policies, shall be fair and consistent with applicable policies, regulations and law.

Remedies

The City prohibits discrimination, harassment and retaliation and encourages employees to report all incidents of this nature to a member of management within the employee's chain of command or to the Department of Human Resources.

Complaints of discrimination, harassment and retaliation will be investigated promptly and fairly.

The Department of Human Resources conducts training and maintains and enforces separate policies on discrimination, harassment and retaliation.

IV. RESPONSIBILITY

A. Employees

All employees are responsible for reporting, in a timely manner, acts of discrimination or harassment to a member of management within their chain of command or the Department of Human Resources.

B. Department Head/Managers/Supervisors:

Department heads, managers and supervisors are responsible for ensuring this policy is fully implemented and enforced, reporting acts of discrimination or harassment to the Department of Human Resources and adhering to the guidelines established in this policy.

C. Human Resources

The Department of Human Resources is responsible for providing policy administration and guidance and for investigating complaints of discrimination, harassment or retaliation.

V. HISTORY

This policy replaces the Equal Employment Opportunity Policy, Policy Number 6.1, dated 07/16/2004, revised 06/23/2011 and EEO Investigations, Policy Number 6.2, dated 01/01/2004.

VI. AUTHORITY

A. Title VII of the Civil Rights Act of 1964, as amended

Title I and Title V of the Americans with Disabilities Act of 1990, as amended

Age Discrimination in Employment Act of 1967, as amended

Equal Pay Act of 1963, as amended

Title II of the Genetic Information Nondiscrimination Act of 2008

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TITLE: Equal Employment Opportunity Policy (6.1)

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**City of
Norfolk**

-
- B. This policy has been established by the City Manager. In the event of any conflicts between this policy and federal, state or local law or regulation, the latter takes precedence.

VII. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources under the advisement of the City Manager.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
7.0**

**Date Issued
1 January 2004**

**Subject:
OCCUPATIONAL
SAFETY AND
HEALTH**

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OCCUPATIONAL SAFETY AND HEALTH



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
7.1**

**Date Issued
1 January 2004**

**Subject:
Reporting Work
Related Injuries**

7.1 Reporting Work Related Injuries

Workers' Compensation is a State-mandated plan that requires certain legal payments to be made to, or on behalf of, employees experiencing an occupational injury or disease, which arises out of and in the course of employment. The plan provides a method for adjudicating claims made by employees for such injuries or illnesses. The State Law is supplemented by administrative rules of the Virginia Workers' Compensation Commission. The City's ordinances, policies and procedures are based on the State requirements or guidelines.

The Safety and Disability Management Office in the Department of Human Resources is assigned administrative responsibility for the overall management of the City Workers' Compensation plan. Safety and Disability Management will develop procedures and guidelines for administering the plan on a Citywide basis. Routine administration will be accomplished by a third party administrator (TPA). Safety and Disability Management will provide departments with addresses and telephone contacts to facilitate the appropriate coordination between the City and the TPA.

Each department will develop its own internal procedures for coordination and communication sources for assuring compliance with State and City regulations and procedures.

A. Reporting Work Related Injuries - Any known or suspected occupational injury or disease experienced by an employee will be reported immediately by the employee, or any other witness to an incident, to the employee's supervisor, regardless of how minor the injury may appear. This will help ensure that proper medical treatment for the injured party is made available to minimize the severity of the problem. This also allows employees and the City to substantiate and investigate potential Workers' Compensation claims.

SUBJECT: Reporting Work
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Upon receiving such notification by an employee or witness, the department to which the employee is assigned shall investigate the reported injury or disease and file the following State Workers' Compensation Commission reports. These documents are legal notices and must be accurately completed in a timely manner in every case:

1. Employers' First Report of Accident (WC Form No. 3) - Departments will complete this form, and forward the report as follows:

- (a) Each report will be faxed to the City's TPA within 24 hours after an incident has occurred;
- (b) The original copy of each First Report of Accident will be forwarded to the Safety and Disability Management office. This alerts this office that an incident has occurred, and if case coordination between the TPA, Safety and Disability Management, the department, or other parties is needed. Prompt submission of the report will shorten the time between the reporting of an alleged injury/illness and the TPA's or Safety and Disability Management's evaluation as to whether the report is to be initially accepted as a compensable Workers' Compensation claim.
- (c) In addition, filing the report with Safety and Disability Management will also ensure that the City of Norfolk meets the mandated Virginia Occupational Safety and Health reporting requirements and allows for loss control management.

The information in the report should include any immediately available supervisors' or witnesses' comments concerning validity or circumstances of the reported injury or illness. The report must be completed regardless of whether a supervisor agrees or disagrees with the employee's claim of an injury.

If all information requested on the form is not immediately available, and it appears the employee will be seeking medical treatment, or incapacitated from work, provide any information that is available, and send the report to the TPA.

Supervisor's comments to corroborate or present additional information regarding the claim may be entered on the form. If space on the form is not adequate for all appropriate comments describing the injury or illness, supplementary

information on regular bond paper should be submitted with the form.

The TPA and/or Safety and Disability Management will review all reports of injury/illness and attempt to make an initial determination of compensability within eight (8) days after receiving the report. The TPA will provide a written confirmation to the employee (with a copy to the employee's division head) indicating whether a claim has been accepted or denied.

2. Supplementary Report (VWC Form No. 3A)

This form documents an employee's incapacity to work for one or more days as a result of an occupational injury or disease.

(a) The TPA should be notified by telephone, email, or fax as soon as it is known an employee is incapacitated and when the employee returns to work. The TPA will prepare this report.

(b) The Safety and Disability Management Office should also be notified by telephone, email, or fax when an employee is incapacitated and when the employee returns to work. The City also has to comply with State Occupational Health & Safety regulations regarding lost time and modified duty days

3. Memorandum of Agreement as to Payment of Compensation (VWC Form No. 4)

This form documents when an employee is eligible for wage indemnity payments and documents the employee's average weekly wage, due to incapacity for work exceeding seven (7) calendar days, as a result of a Workers' Compensation injury or disease.

(a) The Disability Management Coordinator for the employee's department should call, email, or fax the TPA Coordinator as soon as the absence from work has exceeded seven days.

(b) The TPA will prepare this report and forward to the employee's department to obtain appropriate signatures and information.

(c) The affected department will effect a timely completion of the form and return the document to the TPA.

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4. Termination of Wage Loss (WVC Form No. 46)

This form documents the termination of an employee's eligibility for Workers' Compensation wage indemnity payments.

(a) The TPA will prepare this report and forward it to the employee's department to obtain appropriate signatures and information

(b) The affected department will effect a timely completion of the form and return the document to the TPA.

5. Supplemental Agreement to Pay Benefits (WVC Form No. 4A)

This form will be completed in cases where there are intermittent periods of incapacity, for legally appropriate changes in compensation indemnity payments (that is, COLA changes), or if there is a permanent disability for which the employee will be compensated for specified periods as provided by the Workers' Compensation Commission of Virginia.

(a) The TPA will prepare this report and forward to the employee's department to obtain appropriate signatures and information.

(b) The affected department will effect a timely completion of the form, and return the original document to the TPA.

B. Securing Medical Treatment For Occupational Injuries

Emergency Injury Cases

1. If an employee sustains an injury that appears to require emergency medical treatment the supervisor should immediately arrange to have the victim transported to the closest hospital emergency facility for treatment.

NOTE: If the injury is severe enough to require emergency ambulance service, call 911. Examples of injuries classified as "emergency" include major injuries that appear to require immediate medical attention to prevent loss of life, limb or senses, or those that significantly enhance the risk of further injury. Examples include (severe fracture, severe burn, severe laceration, eye injury, severe chest pains or breathing difficulty, etc.)

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2. If follow-up or referral medical care is needed after the emergency facility treatment, the employee will select a treating physician in the same manner as used for obtaining non-emergency treatment.

Non-Emergency Injury Cases

Non-emergency injury cases should be referred to a primary care or minor emergency care (urgent care) center listed on the City of Norfolk Panel of Physicians Selection Form (City approved Workers' Compensation health care providers).

The employee should select a physician from the panel and document the selection by indicating the physician group selected and signing and dating the form.

NOTE: If an employee is working away from normal work area(s), and is located more than 15 minutes from any provider on the Panel of Physicians Selection Form, the employee may seek medical attention from the nearest medical clinic. The employee must then select a physician from the Panel of Physicians Selection Form for future treatment, unless the initial treatment required a direct referral to a specialist.

Examples of non-emergency injuries include lacerations, bruises and contusions, sprains, chipped teeth, skin irritations, and insect bites. Risk Management and/or the TPA will provide a list of these providers to departments for use in employee selection of a provider listed in the panel. All departments should conspicuously display these lists so that all supervisor and employees are aware of, and can readily refer to, the lists.

The following administrative procedures will be utilized in securing these services.

- a. Upon receiving notification of an employee's need for medical treatment due to an occupational injury, the employee will select a treating physician from the City of Norfolk's Panel of Physicians Selection Form approved by the TPA and Safety and Disability Management. Arrangements should be made for transportation to the panel provider selected by the

employee. Ambulance service should normally be used only for emergency treatment.

b. The supervisor, or an authorized departmental representative, shall provide the employee with a City of Norfolk medical treatment plan form approved by the TPA and Safety and Disability Management. The employee or the supervisor will bring the treatment plan form to the treating medical care provider. The provider is required to complete the treatment form. Upon completion of treatment, the provider will be allowed to retain a copy of the completed form. The original copy of the Treatment Plan will be returned to the employee's supervisor for departmental files and mailing/faxing to Safety and Disability Management. The employee should retain a copy for personal records.

C. Case Management

1. The TPA or the Safety and Disability Management Office will the division's Disability Management Coordinator regarding the Workers' Compensation status of disabled employees whose disability exceeds, or is expected to exceed, 15 days duration. This advisement will be made via telephone, or in person every two weeks for cases accepted as compensable under the Workers' Compensation program.

2. The TPA or the Safety and Disability Management Office will advise the division's Disability Management Coordinator regarding the status of reviews, investigations, or litigation status of reported injuries that have not been accepted as compensable under the Workers' Compensation program. This advisement will be made in writing once each month until the TPA or the Safety and Disability Management Office render a final determination of compensability.

3. If an employee is evaluated by an unauthorized medical provider, the cost for the treatment may be the employee's responsibility. This also includes authorizations for physical therapy, pharmacy prescriptions and other medical care providers for which the City has contracted or designated as a panel member. If an employee is seeking to go to a medical care provider that is not on the City's list, the TPA or the Safety and Disability Management Office should

be called for approval prior to authorization being given. Supervisors are responsible for assuring employees are provided the opportunity to select treatment by a medical care provider approved by the City. Questions regarding a referral for treatment not on the approved panel should be directed to the TPA or Safety and Disability Management.

4. Employees shall not be authorized treatment at hospital emergency rooms unless the injury requires immediate medical attention to prevent loss of life, limb or senses, or significantly enhances risk of further injury.

D. Payroll Accounting

1. Workers' Compensation includes payments to employees to indemnify wages lost due to a compensable injury after an employee has been disabled from work for longer than eight days. The amounts of the payments are determined by the Code of Virginia, but generally amount to two-thirds the employee's average weekly wage being earned at the time of a compensable accident or incident. However, there is a maximum amount that will be paid, and the State Workers' Compensation Commission determines that amount.

In addition, the City makes supplemental payments during the first seven days of disability of a compensable injury. The amount of that supplement is the affected employee's normal wage. After eight days of disability, the supplement reduces to the difference between the Workers' Compensation payment due, and the employee's normal net wage. These supplementary payments continue until the employee returns to work, retires, or for six months, whichever occurs sooner.

2. Employees absent from work due to an alleged work-related injury or illness will be charged sick or annual leave (if available) until the Safety and Disability Management Office determines that a case is to be covered under the auspices of the Workers' Compensation Act. If a case is determined as compensable under State law, any charged leave will be credited to the employee's leave balance.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
7.2**

**Date Issued
1 January 2004**

**Subject:
CITY OF NORFOLK,
VIRGINIA SEAT
BELT POLICY**

7.2 CITY OF NORFOLK, VIRGINIA SEAT BELT POLICY

The City of Norfolk recognizes that the use of safety devices by employees and passengers of employees operating and riding in both passenger and service equipment vehicles does reduce the potential of human property losses in vehicular and equipment-related accidents. In order to emphasize this awareness, to encourage the exercise of sound safety practices by its employees, and to make certain requirements thereto, the City herewith prescribes a seat belt policy.

When a City vehicle is used for any purpose, employees of the City, when operating or riding in City-owned passenger and/or service equipment vehicles, must use available body restraint systems (seat belts) when said vehicles are in motion.

In the performance of required duties, employees of the City, when operating or riding in non-city-owned vehicles must use available body restraint systems (seat belts) when said vehicles are in motion.

Non-employees riding in a City vehicle or City equipment as passengers or guests in the vehicle of City employees must use available body restraint systems (seat belts) when said vehicles are in motion. It shall be the responsibility of the City employee in charge of a City vehicle not to permit such vehicle to be operated unless all occupants are using seat belts.

The only permitted exceptions to the foregoing seat belt use requirement are as follows:

Police Personnel: Sworn personnel of the Police Department are exempt from the stipulations contained in this policy when: (1) transporting a person or persons who have been placed in policy custody, or, (2) within a

SUBJECT: Seat Belt Policy	Policy Number: 7.2	Date Issued 1 July 2004	
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specifically defined investigative area (i.e., neighborhood) during active performance of duty under emergency situations, when in consideration of both personal and public safety, it is impractical for officers rapidly entering and exiting vehicles to utilize seat belts.

Except as defined in this paragraph, sworn personnel of the Police Department are required to adhere to the policy.

Waste Management Personnel: Employees of the Division of Waste Management, once they have reached assigned route designations and while in the process of collecting refuse within these routes, are exempt from stipulations contained in the policy.

Except as defined in this paragraph, personnel of the Waste Management Division are required to adhere to the policy.

Department of Fire-Rescue: Employees of the Department of Fire-Rescue, when riding in the front seat of both emergency response sedans and ambulances must use available body restraint systems (seat belts) when said vehicles are in motion. Any patient transported in the rear seat of emergency response sedans, when practical, should be secured with lap belts. When providing patient care in the rear of patient compartments of emergency response ambulances, or in the rear seat of emergency response sedans, Fire-Rescue personnel are exempt from stipulations contained in this policy.

Except as defined in this paragraph, personnel of the Department of Fire-Rescue are required to adhere to the policy.

Failure to abide by this policy may subject the employee to disciplinary action(s). In addition, violation of the foregoing rules may result in the revocation of the employee's privilege to operate City vehicles.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
7.3**

**Date Issued
1 January 2004**

**Subject:
DRIVERS'
LICENSES CITY
DRIVER**

7.3 DRIVERS' LICENSES – CITY DRIVERS

A. Drivers' Licenses (Reporting Revocation, Suspension and/or Other Restrictions) - it shall be the responsibility of all employees, who as part of their job duties are required to operate City vehicles, to immediately notify their department head in writing of any revocation, suspension or other loss of or restriction upon their drivers' licenses or driving privileges. Any failure by an employee to provide this notification shall be grounds for disciplinary action, up to and including termination.

B. Driving Records Reviews - Employees, who as part of their job duties are required to operate City vehicles, must authorize and request the Division of Motor Vehicles, in writing, to furnish their designated departmental supervisors with their driving record transcripts whenever requested to do so by their department head. Any refusal to do so will be grounds for disciplinary action, up to and including termination.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
7.4**

**Date Issued
1 January 2004**

**Subject:
INFECTIOUS
DESEASE**

7.4 INFECTIOUS DISEASE INCLUDING BLOOD PATHOGENS POLICY

A. Statement of Purpose- The purpose of this policy is to attempt to provide a safe work environment and working conditions for employees of the City, while at the same time to provide a work environment free from discrimination and harassment for individuals with Blood Pathogens that could include HIV Infection, AIDS, Hepatitis B or C. The policy is based on guidelines/recommendations developed by the Center for Disease Control and will be updated as new information from the Center for Disease Control or the State Health Department becomes available.

B. Coverage of Policy - This policy is intended to cover and apply to the following persons:

1. Any person diagnosed as having the medical condition known as "Acquired Immune Deficiency Syndrome" (AIDS), in accordance with the Center for Disease Control Case definition.
2. Any person diagnosed as having the medical condition known as "AIDS Related Complex" (ARC), in accordance with commonly accepted clinical criteria.
3. Any person, who is antibody or culture positive for the HIV, referred to as the AIDS, or HIV virus.
4. Any person diagnosed with Hepatitis B or C.

C. Treatment of Employees with AIDS - Any employee known to have HIV infection or AIDS or conditions associated with HIV, who is able to continue satisfactory work performance shall be entitled to remain in the same job classification and work location unless the City's Health Care Provider makes findings that this would significantly threaten the health of the public, the employee, or his/her co-workers. If such a finding is made, the City's Occupational Health care provider will determine the employee's fitness for duty. The Occupational Health Care provider will be consulted, as needed, to make a determination about health reasons for any change in work status.

No employee shall be required to submit to an AIDS virus test as a condition of beginning or maintaining employment with the City. However, employees who have had possible exposure to Blood Pathogens shall strongly encourage the source employees to have their blood tested for blood pathogens at the City's contracted medical lab. The lab will provide a one-hour turn around for HIV status and Hepatitis status within 48 hours. Test results will be faxed immediately to the City's designated treatment facility. City staff that has a blood exposure or body fluid exposure containing blood will go directly for evaluation and for possible treatment with an HIV prophylactic drug that should be administered within two hours of exposure.

Departmental Directors of departments whose employees have a higher risk of AIDS exposure because of nature of the job duties or work environment shall be responsible for formulating and updating departmental AIDS guidelines in coordination with the City's Health Care provider and City Safety Officer. Sample plans and guidelines are located in the City of Norfolk Safety Manual. Detailed plans are required for Police, Fire-Rescue and health care workers.

D. Education - Supervisors shall encourage employees to attend free City-sponsored educational presentations about AIDS and the HIV virus in order to limit the spread of AIDS, and to offer employees current and accurate information about this important health concern.

E. Treatment of Citizens with AIDS - City employees shall not withhold City services solely because a citizen is diagnosed as having AIDS, is at risk for developing AIDS, or is suspected of having AIDS.

F. General - No citizen or employee diagnosed as having AIDS, who is at risk for developing AIDS, or who is suspected of having AIDS shall be subjected to discrimination, embarrassment, harassment, humiliation, or intimidation by any City employee.

Any unauthorized breach of confidentiality concerning employees' or citizens' exposure to or development of AIDS is prohibited.

Violations of this policy are subject to disciplinary action.

G. Handling of Blood and Body Fluids - All bleeding episodes, including accidental cuts or lacerations should be handled in the following way:

1. Direct contact with blood or other body fluids should be avoided if possible, particularly mucous membranes and cuts or abrasions of the skin. In general, usual hygiene precautions (washing with soap and water) should be sufficient. In areas of high risk, gloves may be used as a precaution. In areas where there are existing first aid facilities, gloves and 1:10 bleach solution should be available.

2. Disposition of materials used in treating cuts – All materials used in treating cuts or lacerations should be stored in plastic containers for disposal in accordance with accepted standards, i.e., standards promulgated by the Center for Disease Control of the United States Public Health Service, as described in any subsequent revisions thereof.

3. Hands – Hands should be washed liberally with soap and water following contact with such blood and body fluids.

4. Surfaces – Surfaces contaminated with blood or body fluids should be decontaminated with a 1:10 solution of bleach, using gloves. Materials used in cleaning up the area should be disposed of in plastic containers.

H. Procedures - When dealing with situations involving employees with AIDS, managers and supervisors should:

1. Remember that an employee's health condition is personal and confidential, and that reasonable precautions should be taken to protect information regarding an employee's health.

2. Contact the Department of Human Resources (Safety and Disability Management Office) and Health Departments if they believe that they need information about AIDS, or if they need guidance in managing a situation involving an employee with AIDS.

3. Contact the Human Resources Department to determine if a decision is needed from the City's Health Department regarding safety to the work environment.
4. Be sensitive and responsive to employees' concerns about AIDS, and emphasize employee education available through the City's Health Department.
- I. General Questions on AIDS -Any questions with respect to the implementation of this policy should be referred to the Department of Public Health.
- J. An employee who has been exposed to an infectious disease may be eligible to use Administrative Medical Leave, as described in Section 4.13 of this Manual.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
7.5**

**Date Issued
1 January 2004**

**Subject:
CELL PHONE
POLICY**

7.5 Cell Phone Policy – City Vehicles and Personal Vehicles Used for City Business and Work Zones

Operators of City vehicles will not utilize handheld electronic communication devices while the vehicle is in motion. Before utilizing an electronic communication device such as a cell phone, pocket PC or portable radio, the operator of a vehicle will park in a safe location off the road. Off road means a parking area and not an emergency lane. This policy also applies to City employees during the time they are utilizing their personal vehicles for City business. The policy applies whether or not the communication device is City issue or personally owned.

There are exceptions for Public Safety personnel who are responding to emergency situations. In those cases, the use of communication devices is governed by their own departmental operations policy.

Cell phones and other communication devices shall also not be used in work zones. Staff must remain alert to oncoming traffic and any use of communication devices must be made off the street on a sidewalk or other appropriate adjoining area free of traffic hazards. This does not apply to City radios used for communication due to their short duration of use.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
8.0**

**Date Issued
1 January 2004**

**Subject:
EMPLOYEE
PERFORMANCE
POLICIES AND
PROCEDURES**

INDEX PAGE

EMPLOYEE PERFORMANCE POLICIES AND PROCEDURES

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: PERFORMANCE MANAGEMENT POLICY (8.1)

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**City of
Norfolk**

EFFECTIVE DATE: September 16, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "M. D. Jones", written over a horizontal line.

I. PURPOSE

The City of Norfolk is a well-managed government organization committed to excellence in public service. Accountability is a guiding value of the City and employees are expected to take ownership and responsibility for individual and team actions and remain focused on the priorities of the City of Norfolk.

The performance management process is designed to communicate the City's goals and objectives, reinforce individual accountability, and track individual results. Performance management and employee evaluations are also used to improve employees' performance and productivity, as well as determine developmental needs.

The performance management process involves both managers and supervisors and their employees in improving organizational effectiveness by aligning employee performance with the City of Norfolk's mission and priorities.

II. POLICY

It is the policy of the City of Norfolk that each department will have an active performance management process in which:

- supervisors formally meet with each employee at least three times per year to discuss performance; these three meetings include performance planning, mid-year review, and final evaluation,
- employees are provided with clear expectations for the quality and quantity of work they are to perform at the beginning of the performance period,
- employees receive ongoing feedback throughout the year regarding their performance levels,
- final performance evaluation forms are completed for all employees at the end of the performance period, signed, and submitted to the Department of Human Resources,
- developmental needs are identified and discussed during the performance evaluation, and
- performance issues are addressed through discussion, written comments on the performance review, and, when necessary, creation of a performance improvement plan.

This policy applies to all classified and special project City employees. Police and Fire-Rescue may elect to use alternative approved performance forms for sworn supervisors and managers.

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III. DEFINITIONS

A. Performance Management

Performance management encompasses all processes and steps taken to encourage productive performance and to determine if an employee's performance is consistent with the position expectations and the City's guiding values. Performance management includes establishing performance expectations, monitoring performance, providing feedback and support, developing performance improvement plans, addressing performance that falls below expectations, acknowledging high performance, and conducting formal performance evaluations.

B. Performance Period

The performance period refers to the time in which an employee's performance will be evaluated. For new employees, the evaluation will occur prior to the end of their 6-month probationary period (12 months for Fire and Police). For employees that have completed their probation and all others, the performance period typically begins the first of the month of an employee's anniversary date and ends at the first of the month on the employee's following anniversary date.

C. Performance Evaluation

The performance evaluation form is a tool used by the City to describe performance expectations and formally evaluate and document an employee's performance. An overall rating of performance is provided and reviewed with the employee. The form must be signed by the supervisor, employee, and reviewer.

D. Evaluation Factors

The City of Norfolk's performance evaluation rating components include the City of Norfolk guiding values and expectations, citywide competencies, department/position competencies, and individual objectives. Objectives define specific and measurable results to be achieved by an individual. Objectives are linked to essential job functions and reflect the most important performance results to be achieved within the year.

E. Overall Rating

The overall rating appears at the end of the performance evaluation form and reflects a composite description of the employee's performance. The following overall ratings are used within the Norfolk performance evaluation form: exceeds expectations, meets expectations, needs improvement, and below expectations (refer to the Performance Management Handbook for definitions).

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F. Reviewer

The supervisor who oversees and manages the supervisor conducting the performance evaluation is the reviewer. The reviewer is responsible for reviewing performance evaluations for accuracy, consistency, and fairness and meeting with employees, upon request, to discuss an evaluation.

G. Performance Improvement Plan

If an employee receives an overall rating of “below expectations” or “needs improvement” the supervisor must work with the employee in developing a performance improvement plan. This plan specifies the competencies and objectives needing performance improvement and outlines steps and goals that must be achieved during a three-month period.

IV. PROCEDURE

Performance evaluations will be completed for City employees during the month preceding their anniversary date or pre-established evaluation cycle date. The performance of newly hired employees will be evaluated prior to the end of their probationary period and again in the month prior to the first anniversary date.

Immediate supervisors are responsible for managing employee performance through the following steps and guidelines:

- A. The supervisor establishes performance expectations during the performance planning period. At this time, the supervisor discusses the competency areas and provides specific examples of behaviors that reflect those competencies for the position. The supervisor then works with the employee to establish objectives for the performance period. The employee, supervisor, and reviewer sign the evaluation form to indicate that performance expectations were discussed and agreed upon, and the performance period has begun.
- B. Throughout the performance period, the supervisor provides continuous feedback to the employee to identify the employee's current level of performance, areas in need of improvement, and progress in meeting objectives. Where necessary, coaching and training should be used to support the employee in improving performance. During the mid-point of the performance period the supervisor schedules a time to meet and fully review the current level of performance with the employee.
- C. If at any time during the performance period, the supervisor determines an employee's performance is “below expectations” or “needs improvement,” the supervisor is to initiate a performance improvement plan. Any performance that does not meet expectations may also warrant corrective action (refer to Policy 8.3).

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The supervisor and employee will establish specific and measurable steps to be accomplished within a three-month time period. The supervisor, employee, and reviewer sign the performance improvement plan and send a copy to the Department of Human Resources for review and filing. The supervisor closely monitors and documents the employee's performance, and provides guidance and feedback to assist the employee in meeting the steps established in the performance improvement plan. The employee's performance will then be reevaluated at the end of the three month period. If, at the end of the three-month period, the employee's performance:

1. has improved from "below expectations" or "needs improvement" to "meets expectations" or above the employee will return to the regular performance evaluation process.
 2. has improved from "below expectations" to "needs improvement" a second performance improvement plan may be initiated. If performance does not meet expectations at the end of this period, the employee may be subject to disciplinary action.
 3. has not improved, the employee may be subject to disciplinary action.
- D. At the end of the performance period, the supervisor completes the performance evaluation form and submits the form to the reviewer and/or department head for review and approval prior to meeting with the employee. If the reviewer and/or department head disagree with the evaluation, they should work with the supervisor to reach consensus on proposed changes. If consensus cannot be reached, the reviewer and/or department head should document their comments/concerns as part of the evaluation. After the reviewer and/or department head approve the evaluation, the supervisor will meet individually with the employee to review the performance evaluation. The supervisor and employee sign the form at the close of the performance review meeting. After the meeting, the supervisor keeps a copy of the evaluation, furnishes a copy to the employee, and sends the original to the Department of Human Resources for filing.
- E. When pay increases are available to employees, performance must "meet" or "exceed" expectations on the final evaluation in order to receive an increase. When bonuses are considered, the employee must "exceed expectations" on the most recent evaluation to be eligible. Department heads are authorized to deny pay increases when performance "needs improvement" or is "below expectations." When a pay increase is denied, the supervisor must develop a performance improvement plan.
- F. For probationary employees, a formal review occurs prior to the end of their probationary period. If performance at this time is deemed "below expectations" or "needs improvement" the employee may be subject to disciplinary action up to and including termination. For probationary employees who "meet expectations" or "exceed expectations," the six month review is considered a mid-year review

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and the employee will be formally evaluated again at the end of the performance period.

- G. In situations where more than one supervisor is responsible for supervising an employee during a performance period (due to shift work, transfers, promotions, etc.), the person who acted as supervisor for the longest period of time should seek the input of the other supervisor(s) in completing the performance evaluation.
- H. An overall performance rating is not grievable. However, an employee may use the grievance procedure if they believe the process violated the written performance evaluation policy. Determinations of grievability will be made in accordance with the City's Employee Grievance Procedure.
- I. Employees may express disagreement with their performance evaluation on the performance evaluation form. Employees may also request a meeting with the reviewer, in writing, no later than three days after receiving the performance evaluation. The reviewer should meet with the employee and the supervisor in an effort to reconcile any differences. Employees and reviewers may also contact the Department of Human Resources for assistance in resolving disagreements.

V. RESPONSIBILITY

A. Human Resources

The Department of Human Resources is responsible for oversight and administration of this policy. Human Resources will maintain copies of performance evaluations in the employee's personnel file.

B. Department Heads

Department heads are responsible for ensuring that the department is actively engaged in performance management and that supervisors are completing performance evaluations on a regular and timely basis. In addition, department heads must formally notify the Director of Human Resources if the evaluation cycle will deviate from an anniversary date cycle.

C. Supervisors

Supervisors are responsible for managing performance, which includes regular individual meetings with employees to establish performance expectations, providing ongoing feedback, completion of a mid-year review of performance, development and implementation of performance improvement plans, when necessary, and completion of a performance evaluation form for each employee.

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D. Reviewers

Reviewers are responsible for assessing performance evaluations for accuracy, consistency and fairness. The reviewer is also responsible for meeting with employees, when requested, to discuss concerns or issues with the performance evaluation.

E. Employees

Employees are responsible for clearly understanding their work expectations, meeting with their supervisors about any areas in need of clarification, reviewing written evaluations and providing information to their supervisors regarding work performance and progress.

VI. HISTORY

This policy replaces Personnel Administrative Policies 8.1 and 8.1a (dated 1 January, 2004).

VII. AUTHORITY

Modifications to this policy shall be the responsibility of the Department of Human Resources.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
8.2**

**Date Issued
1 January 2004**

**Subject:
GENERAL
EMPLOYEE BONUS
PROGRAM**

8.2 GENERAL EMPLOYEE BONUS PROGRAM

A. Purpose - The purpose of this document is to establish parameters for Department Heads to assume the responsibility of awarding bonuses to employees within the City of Norfolk.

B. Responsibility:

1. All Department Heads are accountable for administering the policies and procedures contained herein. Department Heads may not delegate the authority granted to them to approve employee performance bonuses.

2. The Department of Human Resources is responsible for submitting quarterly reports to the Executive Staff on the number, type, and distribution of bonuses awarded by department, level of employee, etc. Bimonthly reports will be submitted to the City Manager.

C. Objectives:

1. To afford the opportunity to reward City employees for exceptional performance.

2. To establish and utilize the bonus program fairly and equitably throughout departments.

3. To allow greater flexibility and accountability to Department Heads in issuing bonuses while adhering to the parameters established in this policy.

4. To streamline the present bonus authorization process for awarding of bonuses.

SUBJECT: General Employee Bonus Program	Policy Number: 8.2	Date Issued 1 January 2004	
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D. Criteria:

1. An employee must have an excellent rating on his/her most recent final Performance Review. However an excellent rating does not entitle an employee to a bonus.

2. Performance must be consistent and must be well above/beyond what is expected in all three of the following areas:

a. Technical Job Knowledge and Productivity - this is "what" the employee does and is typically evaluated in the performance review. It includes factors such as knowledge of the job, productivity and volume of work completed, managing projects, and performing the overall tasks of the job as identified in the job description in an exemplary manner.

b. Behavioral Competencies - this is "how" an employee does his/her job. The employee must have consistently demonstrated the values of the organization as outlined in The City of Norfolk and You: Doing What Comes Naturally value booklet. This includes demonstrating teamwork, leadership, service, professionalism, loyalty, communication, trust, and growth. For supervisors, management style must support employee involvement, effective group processes, and treating employees with respect.

Individuals working on teams may be provided bonuses, as long as each employee on the team individually meets the criteria, as well as contributes to the team's goals.

c. Embraces Continuous Improvement - continually looks for ways to serve customers better, to identify and solve problems, to improve processes under his/her control.

E. Guidelines:

1. Program cost needed to be confined in order to ensure the City's ability to fund the program and to ensure only top performers are awarded bonuses. Therefore,

bonuses are to be limited to no more than an amount equal to .25% of total salaries per department out of each department's budget. By exception, if a Department Head verifies that the department is under its total budget, has adhered to any salary savings required and submits a sound plan for awarding bonuses, an amount up to .5% of total salaries may be approved jointly by the Directors of Human Resources and Budget and Management. Any additional bonuses over this amount must be approved by the City Manager.

2. Department Heads shall establish internal procedures for implementing bonuses. These procedures are to include the timing for awarding bonuses (i.e., once a year or at the time of the employee's increment date), departmental review and recommendation process, required documentation and other procedural matters. The awarding of bonuses must coincide with the funding established for each budget year.

3. Department Heads are to communicate in writing the availability of this program to employees and include criteria outlined above into performance expectations.

F. Features:

1. Available to all employees in the general pay plan.
2. Awards up to 5 percent of the employee's annual salary.
3. No more than one per fiscal year.
4. Must be reearned annually.
5. Not included in base wages or retirement calculations.
6. Employees must have been in the position for one year to be eligible.

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EFFECTIVE DATE: December 1, 2015

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk is committed to providing excellent service to Norfolk residents and operating as a well-managed government. Employees are expected to maintain quality work performance and behave with integrity and respect. This policy is established to identify those behaviors and actions that are inappropriate and to describe the procedures for corrective action.

II. POLICY

Corrective action may be taken against an employee for any behavior or conduct which harms the reputation of the City of Norfolk, violates City policy or applicable laws, hinders effective performance of the employee or other employees, or hinders the City's ability to effectively perform government or proprietary functions.

III. APPLICATION

This policy applies to all employees in the classified service, but shall not apply to sworn officers employed by the Departments of Police and Fire-Rescue, who shall be governed by the provisions of Section 63 of the City Charter and the disciplinary rules promulgated by those departments.

The corrective action procedures described within this document are not required for probationary employees. Probationary employees may be terminated without a pre-disciplinary conference.

All employees, including unclassified and non-permanent, are expected to abide by the disciplinary rules outlined in this policy. The corrective action procedures described within this document do not apply to unclassified and non-permanent employees and discipline may be issued without a pre-disciplinary conference.

IV. PROCEDURE

A. Counseling

Counseling may be a first step to address a performance issue prior to discipline. This personnel action is not a form of discipline. Employee Counseling Records will be recorded and maintained at the department level and may be used to support future discipline should deficiencies continue.

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B. Progressive Discipline

Where possible, the City of Norfolk advocates a progressive discipline process. This means disciplinary actions of lesser severity than termination should be issued in an attempt to correct an employee's unacceptable performance or behavior before proceedings for termination are initiated. More severe discipline may occur if corrective behavior is not achieved.

An exception to the progressive discipline process occurs when an employee engages in an extremely serious violation or series of violations. In such cases, termination proceedings may be the appropriate first step. No employee has a right or guarantee to progressive disciplinary actions as a prerequisite to proceedings of termination.

The progressive disciplinary actions include:

1. **Written Reprimand:** In this disciplinary step, an employee receives written communication from a supervisor in their department which describes the unsatisfactory work performance or inappropriate behavior and corrective action.
2. **Suspension:** In this disciplinary step, an employee is not permitted to work and will not receive pay for a specified period of time.
3. **Involuntary Demotion:** Involuntary demotion is a disciplinary step where an employee is moved into a lower level position with reduced pay and changes in job responsibilities.
4. **Termination:** Termination occurs when employment with the City of Norfolk is discontinued due to disciplinary or performance infractions. An employee may be placed on pre-disciplinary leave by a department head pending a review and recommendation of the matter to the City Manager.

C. Disciplinary Rules

Disciplinary action may be issued to an employee for any behavior or conduct which discredits the City or its employees, or hinders the effective performance of the City's governmental or proprietary functions. Employees may receive discipline for one or more of the following:

Level A Violations

1. Quitting work or leaving duty area without permission.
2. Unauthorized absenteeism and/or tardiness.
3. Absence without authorized leave or without notification of reason. (Absence without authorized leave or without notification for three (3) or more consecutive workdays shall be considered abandonment of an employee's position).
4. Sleeping on the job.
5. Horseplay. (Examples: Pushing, shoving, teasing, practical jokes, or any

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- other pranks and antics which disrupt the normal work routine or create a risk of danger to the safety of others.)
6. Smoking in unauthorized areas including City vehicles.
 7. Incompetence or inefficiency in the performance of required job duties.
 8. Any action that constitutes a conflict of interest between the employee and the City.
 9. Violation of any safety rule or practice.
 10. Vending, soliciting, distributing literature, circulating petitions, or collecting contributions during work hours or on City property without prior authorization.
 11. Abuse of sick leave or excessive use of leave. (Examples: Use of sick leave for purposes other than recuperation from illness or medical appointments, i.e. for employment on another job, recreation, or other personal reasons not related to illness; a pattern or use of leave which negatively impacts or disrupts the work unit or productivity).
 12. Dishonesty.

Level B Violations – More serious violations.

13. Insubordination. (Examples: Refusal to perform assigned duties, to comply with a direct order of a supervisor, or to cooperate in an investigation of matters related to employment; use of abusive, derogatory, profane, or disparaging language toward a supervisor; use of language or other actions which demonstrate disrespect toward a supervisor.)
14. Deliberate or careless conduct, endangering the safety of others or oneself.
15. Negligence in the care and handling or intentional abuse or destruction of City property.
16. Unauthorized use of City property or equipment.
17. Use of offensive, abusive, coercive, indecent, or discourteous language towards supervisors, other employees, or members of the public.
18. Soliciting or accepting any fee, gift, or other thing of value in the course of or in connection with an employee's job duties when such fee, gift, or other thing of value is given to induce, or is intended to induce, the receipt of a favor or preferential treatment.

Level C Violations – The most serious violations which may warrant more aggressive disciplinary action to include suspension, demotion or termination. Egregious violations may result in immediate termination.

19. Violation of any provision of the City Charter, City Code, or any other City or departmental policy, rule or procedure (to include but not limited to sexual harassment, discrimination and/or workplace violence).
20. Conduct unbecoming an employee of the City.
21. Serious neglect of duty.

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22. Theft of City property, of another employee's property, or of property belonging to any person conducting business with the City.
23. Intentional falsification of personnel records, time records, or any other City records or reports.
24. Using (or threatening or attempting to use) personal or political influence in an effort to secure promotion, leave of absence, transfer, increased pay, change of job, or change of work duties.
25. Inducing or attempting to induce any other City employee to violate a provision of the City Charter, City Code, any other City or departmental policy, rule or procedure, or to commit any unlawful act.
26. Reporting to work under the influence of intoxicants or drugs; possession or the use of intoxicants or drugs while on duty. Employees will notify their immediate supervisor when taking medication prescribed by a physician that might interfere with the safe and effective performance of their job duties or operation of equipment.
27. Conviction of a felony, sex offense, offense involving moral turpitude or other related criminal offense.
28. Failure to immediately report criminal charges or expiration, suspension, or revocation of required license(s) or certification(s).
29. Interference, inappropriate involvement, or failure to cooperate and/or participate in an internal investigation.
30. Failure to comply with a mandatory referral.

(Please refer to Appendix A - Guidelines for Corrective and Disciplinary Action, for guidance on the type of corrective action or discipline to impose.)

D. Pre-disciplinary Leave

Pre-disciplinary leave is an appropriate action when the employee's presence in the workplace: (1) poses an immediate threat to the effective performance of duties by other employees, (2) has an immediate adverse effect upon the reputation of the City or its employees, (3) impairs the effective performance of any City functions, (4) may be dangerous or harmful for employees, or (5) interferes with an internal or legal investigation. Pre-disciplinary leave is leave without pay.

Pre-disciplinary leave may be used when a request for termination of employment is recommended, for purposes of an internal investigation, or for any alleged conduct or behavior in the workplace considered so severe that the employee's continued presence would represent negligence by the City. Pre-disciplinary leave may also be used during criminal proceedings of an employee charged with a felony or other criminal offense that conflicts with their ability to effectively serve as a City employee.

Disciplinary action in such cases will be determined through a pre-disciplinary conference.

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E. Pre-disciplinary Conference

In most instances where an employee is recommended for suspension, demotion, placed on pre-disciplinary leave, or when termination has been recommended, the employee has the right to a pre-disciplinary conference conducted by a department head and the Director of Human Resources or designee(s). The Department is only required to have a representative from the Department of Human Resources present when termination is being considered. The purpose of the pre-disciplinary conference is to gather information regarding the alleged offense.

- A Notice of Pre-Disciplinary Conference will be issued to the employee.
- The pre-disciplinary conference will be conducted within ten (10) work days of the approved Notice of Pre-Disciplinary Conference by the department head or designee(s). Conference scheduling should allow for providing the employee adequate time to prepare for the conference.
- Attendees of a pre-disciplinary conference will be limited to the employee charged with a violation of disciplinary rules, the department head, a Human Resources representative (if necessary), a department supervisor familiar with the charges, and witnesses who have first-hand knowledge of the circumstances surrounding the issue (please note that each witness should be met with separately and without the presence of the charged employee). Exceptions to this limitation may be made by the department head or designee(s) in collaboration with Human Resources.
- In matters regarding a recommendation for termination, Human Resources facilitates the pre-disciplinary conference to ensure that all parties have ample opportunity to be heard and that Human Resources is able to gather all necessary information needed to recommend appropriate action. Whenever a recommendation for termination is sought against an employee within Human Resources, the Director of Human Resources shall notify the Deputy City Manager, who shall designate a representative to serve in Human Resources' capacity in the pre-disciplinary conference.
- Any conference participant that becomes disruptive during the conference and/or interferes with the ability to gather facts shall be immediately excused and the conference will proceed.
- Following the pre-disciplinary conference, any corrective action should be determined and issued within ten (10) work days.

Disciplinary actions shall be suited to the infraction for which the discipline is being issued. The Guidelines for Corrective Action should be considered when determining discipline.

If an employee fails to attend a pre-disciplinary conference, it will be conducted in their absence.

A pre-disciplinary conference will not be conducted for job abandonment.

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A pre-disciplinary conference will not be conducted in situations where an employee has been placed on pre-disciplinary leave during pending criminal proceedings and the employee is subsequently convicted or, has pled guilty to, or has otherwise pled in a manner not contesting the charges, to a felony or other criminal offense that conflicts with the employee's ability to effectively serve as a City employee. The City's receipt of documentation confirming the conviction or plea, whether based on a plea or trial, will be sufficient for the City to make its disciplinary determination. This includes situations where an employee has entered a plea reflecting guilt, requesting abeyance, or acknowledging that he or she does not contest such charges, but not yet been convicted.

V. RESPONSIBILITIES

A. Authority for Disciplinary Action

1. City Manager

Decisions to terminate or demote are made by the City Manager or designee. Such decisions are made in consideration of the recommendations and feedback from a department head, Human Resources, and the employee subject to discipline. The City Manager may impose any level of discipline deemed appropriate.

2. Department Heads

Department heads may suspend an employee for a period not to exceed five (5) work days or place an employee on pre-disciplinary leave. Department heads may recommend demotion or termination which will be subject to review by Human Resources, with a final decision by the City Manager. In the event a department head is unavailable, action may be taken by the individual exercising the department head's authority.

3. Managers/Supervisors

Any manager or supervisor, designated by the department head, in a department may issue a written reprimand to an employee. Supervisors also have the authority to immediately place an employee on pre-disciplinary leave pending approval of the department head or the Director of Human Resources within five (5) work days for (a) serious misconduct or posing an immediate threat to safety or (b) when an employee reports late for duty and their assigned work unit has deployed.

4. Department of Human Resources

Human Resources may participate in pre-disciplinary conferences and conduct internal investigations as necessary. The City Manager may designate the Director of Human Resources to approve suspensions in excess of five (5) days as deemed appropriate. The Director of Human Resources may extend any timeline referenced herein for good reason.

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B. Reporting Requirements and Timelines

1. Written Reprimand

A written reprimand should be documented on the Written Reprimand form and forwarded to Human Resources for inclusion in the employee's personnel file within five (5) work days after it is issued. A copy must be provided to the employee.

2. Suspension

The department must provide a written Notice of Suspension, stating the inappropriate behavior, to the employee and Human Resources within ten (10) work days following the pre-disciplinary conference.

3. Involuntary Demotion

The department must submit in writing a Request for Demotion. This request should be submitted to Human Resources and the employee, stating the reasons for the request. Human Resources will review the circumstances and will submit a recommendation to the City Manager within ten (10) work days of receipt of the request.

4. Voluntary Demotion

An employee may submit a written Request for Demotion to their department head. This request shall be forwarded to Human Resources. Human Resources will review the circumstances and provide a recommendation to the City Manager for final determination. Such a demotion shall not be considered discipline.

5. Termination

A department head, in partnership with Human Resources, will participate in a pre-disciplinary conference to review the facts and circumstances of the matter. Following the pre-disciplinary conference the Request for Termination will be completed by the department and submitted to Human Resources within ten (10) work days. Human Resources will review and forward the Request for Termination to the City Manager within ten (10) work days. The City Manager will approve or deny the request for termination within ten (10) work days of receipt of the recommendation. Human Resources will forward notification to the employee and department head of the City Manager's decision within five (5) work days of receipt of the City Manager's decision.

6. Pre-disciplinary Leave

The department must provide a written Notice of Pre-disciplinary Leave, stating the reason for this personnel action, to the employee and Human Resources within five (5) work days after placing the employee on pre-disciplinary leave. In the event of misconduct of a serious nature, the Director of Human Resources may place an employee on pre-disciplinary leave up to thirty (30) calendar days while an investigation into the alleged impropriety occurs.

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In the event of pre-disciplinary leave during criminal proceedings, the Director of Human Resources may place an employee on pre-disciplinary leave for all or any part of the time during which criminal proceedings occur. It is the responsibility of the employee to report the outcome of the matter and provide any requested documentation to their department head within two (2) work days of the court's disposition. If it is determined that disciplinary action is warranted, it shall be imposed in accordance with the disciplinary procedures.

7. Timelines

The timelines referenced herein are intended to ensure that disciplinary actions are implemented in a timely manner. While personnel involved in the corrective action process on behalf of the City should strive to follow the timelines referenced herein, the City's inability or failure to meet any referenced deadline will not, by itself, make the disciplinary action invalid or improper and does not mean that the disciplinary process has ended or must be ended.

VI. EMPLOYEE RIGHTS

A. Appeal Disciplinary Action through the Grievance Procedure

Employees subject to disciplinary action have the right to state their case in such matters. Eligible employees can appeal disciplinary actions through the grievance procedure.

B. Voluntary Resignation

Any employee who is subject to discharge shall be permitted to voluntarily resign from their position by signing and submitting a letter of resignation.

C. Pay and Benefits upon Reinstatement

If pre-disciplinary leave is subsequently determined to be unwarranted, it shall be removed from the employee's record and the employee will be reimbursed for any pay and benefits lost as a result of the imposed leave. When an employee is reinstated and provided with back pay lost during the pre-disciplinary leave, back pay may be reduced due to any unnecessary delay caused by the employee or circumstances beyond the City's control.

The determination of whether pre-disciplinary leave was unwarranted is not based on whether discipline was imposed or on the level of discipline imposed. The City Manager or designee will determine whether the pre-disciplinary leave was unwarranted, and, in doing so, may consider the circumstances leading to the placement of the employee on pre-disciplinary leave and to the reinstatement of the employee, including, but not limited to, the reasons for the pre-disciplinary leave, the information provided at any pre-disciplinary conference, any disciplinary action imposed, and the reasons for reinstatement.

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In situations where pre-disciplinary leave is used for the purpose of an internal investigation, the pre-disciplinary leave itself is considered warranted based on the need to conduct an internal investigation. The results of the investigation will not determine whether the pre-disciplinary leave itself was unwarranted. In such situations, the City Manager or designee will consider the reasons for the internal investigation, the information obtained or provided during the internal investigation, and the outcome of the internal investigation to determine whether the pre-disciplinary leave may be removed from the employee's record, whether the employee may be reimbursed for any pay and benefits lost as a result of the imposed leave, and whether any back pay reimbursement should be reduced due to any unnecessary delay caused by the employee or circumstances beyond the City's control.

In situations where pre-disciplinary leave is used during criminal proceedings of an employee charged with a felony or other criminal offense that conflicts with the employee's ability to effectively serve as a City employee, the pre-disciplinary leave itself is considered warranted based on the nature of the charges and the criminal proceedings. The results of the criminal proceedings will not determine whether the pre-disciplinary leave itself was unwarranted. In such situations, the City Manager or designee will consider the nature of the charges and the outcome of the criminal proceedings in order to determine whether the pre-disciplinary leave may be removed from the employee's record, whether the employee may be reimbursed for any pay and benefits lost as a result of the imposed leave, and whether any back pay reimbursement should be reduced due to any unnecessary delay caused by the employee or circumstances beyond the City's control.

VII. NOTICES

- A. All notices shall be provided to an employee in person or directed to an employee's last known address as reflected by the records of Human Resources. Notices provided for by these rules recommending a request for termination, shall be transmitted to the employee by Certified Mail. It shall be the responsibility of all employees to notify Human Resources of any change of address.
- B. In the event a notice is returned unopened, the requirement of notification to the employee shall be deemed to have been satisfied.

VIII. HISTORY

Replaces Policy Number 8.3, Corrective Action Guidelines and Procedures, Issued August 1, 2013.

IX. AUTHORITY

This policy has been established by the City Manager. Modifications to this policy are the responsibility of the Department of Human Resources under the advisement of the City Manager.

Appendix A - Guidelines for Corrective Action

It is the desire of the City of Norfolk that corrective and disciplinary action be applied consistently, fairly, and in a uniform manner. These guidelines should be considered when determining corrective action and are intended to be illustrative and directional rather than compulsory or binding. Discipline imposed may vary from these recommended guidelines, depending on the particular circumstances of the matter. Human Resources (HR) should be consulted for variations to these guidelines to ensure organizational consistency.

The following should be noted:

- Application of progressive discipline is not limited to repeated violations of the same offense. Each disciplinary rule violation is considered a separate offense.
- An employee can be charged with any number of disciplinary rule violations. The discipline associated with the most serious infraction will be imposed.
- Although future offenses may be of a lesser severity, the form of discipline imposed will be more severe to ensure progression.

Disciplinary Rule	Level A Violations - Recommended Action			
	First Offense	Second Offense	Third Offense	Fourth Offense
1. Quitting work or leaving duty area without permission.	Counseling Reoccurring - Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
2. Unauthorized absenteeism and/or tardiness.	Absenteeism - Reprimand Tardiness – Counseling Reoccurring Tardiness - Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
3. Absence without authorized leave or without notification of reason. Job Abandonment.	Reprimand Job Abandonment – Recommendation for Termination	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
4. Sleeping on the job.	Counseling Reoccurring - Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
5. Horseplay.	Counseling Reoccurring – Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
6. Smoking in unauthorized areas including City vehicles.	Counseling Reoccurring – Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
7. Incompetence or inefficiency in the performance of required job duties.	Counseling Reoccurring - Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination

8. Any action that constitutes a conflict of interest between the employee and the City.	Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
9. Violation of any safety rule or practice.	Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
10. Vending, soliciting, distributing literature, circulating petitions, or collecting contributions during work hours or on City property without prior authorization.	Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
11. Abuse of sick leave or excessive use of leave.	Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
12. Dishonesty.	Reprimand	Suspension (1 - 3 Days)	Suspension (5 Days)	Recommendation for Termination
Disciplinary Rule	Level B Violations - Recommended Action			
	First Offense	Second Offense	Third Offense	
13. Insubordination.	Reprimand or Suspension (up to 3 days depending on severity)	Suspension (5 Days)	Recommendation for Termination	
14. Deliberate or careless conduct, endangering the safety of others or oneself.	Reprimand or Suspension (up to 3 days depending on severity)	Suspension (5 Days)	Recommendation for Termination	
15. Negligence in the care and handling or intentional abuse or destruction of City property.	Reprimand or Suspension (up to 3 days depending on severity)	Suspension (5 Days)	Recommendation for Termination	
16. Unauthorized use of City property or equipment.	Reprimand or Suspension (up to 3 days depending on severity)	Suspension (5 Days)	Recommendation for Termination	
17. Use of offensive, abusive, threatening, coercive, indecent, or discourteous language towards supervisors, other employees, or members of the public.	Reprimand or Suspension (up to 3 days depending on severity)	Suspension (5 Days)	Recommendation for Termination	

18. Soliciting or accepting any fee, gift, or other thing of value in the course of or in connection with an employee's job duties when such fee, gift, or other thing of value is given to induce, or is intended to induce, the receipt of a favor of preferential treatment.	Reprimand or Suspension (up to 3 days depending on severity)	Suspension (5 Days)	Recommendation for Termination
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Level C Violations - Consult with Human Resources

19. Violation of any provision of the City Charter, City Code, or any other City or departmental policy, rule, or procedure (to include but not limited to sexual harassment, discrimination and/or workplace violence).
20. Conduct unbecoming an employee of the City.
21. Serious neglect of duty.
22. Theft of City property, of another employee's property, or of property belonging to any person conducting business with the City.
23. Intentional falsification of personnel records, time records, or any other City records or reports.
24. Using (or threatening or attempting to use) personal or political influence in an effort to secure promotion, leave of absence, transfer, increased pay, change of job, or change of work duties.
25. Inducing or attempting to induce any other City employee to violate a provision of the City Charter, City Code, any other City or departmental policy, rule or procedure or to commit any unlawful act.
26. Reporting to work under the influence of intoxicants or drugs; possession or the use of intoxicants or drugs while on duty.
27. Conviction of a felony, sex offense, offense involving moral turpitude or other related criminal offense.
28. Failure to immediately report criminal charges or expiration, suspension, or revocation of required license(s) or certification(s).
29. Interference, inappropriate involvement, or failure to cooperate and/or participate in an internal investigation.
30. Failure to comply with a mandatory referral.



PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
8.4**

**Date Issued
1 January 2004**

**Subject:
GRIEVANCE
PROCEDURE**

8.4 GRIEVANCE PROCEDURE

A. Purpose - the purpose of this procedure is to maintain a harmonious and cooperative working relationship between the City and its employees by providing an equitable method for the resolution of grievances without discrimination, coercion, restraint, or reprisal against any employee who may present or be involved in a grievance.

B. Scope:

1. This procedure may be utilized for the presentation of grievances concerning:

a. Working conditions and environment (for example, inadequate lighting, sanitation, unnecessarily dangerous working methods, inadequate tools, inadequate time permitted for completion of work).

b. Disciplinary actions, including reprimands, suspensions, increment denials, disciplinary demotions, and dismissals, provided dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance. Any employee serving a probationary period as a result of being promoted shall be able to grieve the disciplinary actions mentioned above with the exception of demotions or dismissals.

c. The violation or inconsistent application of any personnel practice, policy or procedure with respect to a particular employee. **(NOTE: Differing applications of policies based on differing facts or circumstances will not be considered "inconsistent," nor will differing applications not within the same general time frame. To qualify as an "inconsistent application," the comparative situations must be the same).**

d. Complaints of discrimination based upon an employee's race, sex, religion, national origin, disability, age, political affiliation, or color.

- e. Acts of retaliation taken as a result of utilization of the grievance procedure, or of the participation in the grievance of another City employee.
- 2. This procedure may not be utilized for the presentation of grievances regarding:
 - a. Changes or requests for changes in salaries, fringe benefits, or position classifications;
 - b. Non-selection for promotion when the sole basis for the grievance is an allegation by the employee that he or she is better qualified than the person selected;
 - c. Reductions in force, because of lack of work or job abolition, including terminations, layoffs, demotions or suspensions, except when the employee affected has been reinstated within the previous six months as the result of the final determination of a grievance. In any grievance brought under the foregoing exception, the action shall be upheld upon a showing by the City department that (i) there was a valid business reason for the action, and (ii) the employee was notified of such reason in writing prior to the effective date of the action.
 - d. The merits or legality of any personnel practice, policy, or procedure established by State law, the City Charter, ordinance, Civil Service Commission rule, rule adopted by the City Manager, or any other City policy;
 - e. Matters involving a legal interpretation of any Charter provision, State law, ordinance, Civil Service Commission rule, rule adopted by the City Manager, or other City policy.
- 3. This procedure may not be utilized by:
 - a. Members of the unclassified service;
 - b. Casual and periodic part-time employees and those employees serving their initial probationary period. Employees serving a promotional probationary period may utilize the grievance procedure, with the exception of grieving demotions or dismissals;

c. Law enforcement officers who have elected to pursue their complaints pursuant to the Law Enforcement Officers' Procedural Guarantees law (Virginia Code Sections 2.1-116.1 et. seq.), and sworn members of the Police Department and the Fire-Rescue Department who elect to pursue their complaints through the Police-Fire Trail Board;

d. Appointees of elected groups or individuals;

e. Officials and employees who, by Charter or other law, serve at the will or pleasure of the City Manager or other appointed authority;

f. Agency heads or chief executive officers of government operations;

g. Temporary, substitute and trainee employees;

h. Employees whose terms of employment are limited by law;

i. Deputies and executive assistants of the City Manager.

4. This procedure may be utilized by special project employees hired under the provisions of City Code Sections 2-84 through 2-96, but the demotion or dismissal of any such employee shall not be grievable. (See City Code Section 2-96.)

5. The Director of Human Resources shall determine the officers and employees excluded from use of this procedure, and shall maintain an up-to-date list of all affected positions.

C. Governmental Prerogatives - Nothing contained in this procedure is intended to or shall limit, impair, modify or abridge the following exclusive rights of the City:

1. To determine the purposes, duties, and objectives of each of its constituent departments, bureaus, divisions, officers, and employees;

2. To set standards of service to be offered to the public;

3. To determine the methods, means, personnel and other resources by which the City's operations are to be conducted;

4. To introduce technology and methods for efficiency;
5. To exercise control and discretion over its organization, operations, and budget;
6. To direct the work of its employees;
7. To hire, promote, assign, transfer, layoff, and retain employees in positions within the City;
8. To take whatever actions as may be necessary for the public good in times of physical or economic emergencies;
9. To maintain the efficiency of governmental operations;
10. To establish work standards;
11. To create positions and establish selection criteria to be used in hiring;
12. To conduct personnel evaluations and establish criteria by which employees are promoted.

D. Freedom to Initiate Grievances - The initiation or prosecution of a grievance shall not reflect unfavorably on an employee's standing or performance, and no employee who takes such action shall be subjected to any restraint, intimidation, discrimination, or reprisal, direct or indirect.

E. Time Limitations:

1. For the purposes of this procedure, the term "work days" shall be understood to mean consecutive Mondays through Fridays, excluding holidays. Any grievance, in order to be processed, must be presented to an employee's immediate supervisor within twenty (20) calendar days from:
 - a. The occurrence of the matter out of which the grievance arose, or
 - b. The time the employee became aware of, or should reasonably have been aware of, the occurrence of the matter out of which the grievance arose.
2. Any time limitation specified by this procedure may be extended by mutual agreement of the parties, or, when justified by unusual circumstances constituting just cause, by the Director of

Human Resources, provided that such extension must be in writing accompanied by a clear explanation of the Director of his reasons for authorizing the extension. Examples of unusual circumstances which will justify an extension of time are the sickness or disability of an employee or of a supervisor to whom a grievance must be presented.

3. The failure of an employee to present a grievance within the time specified above shall constitute a forfeiture and waiver of any rights to proceed further.

4. After the initial filing of a written grievance, the failure of either party to comply with all substantial procedural requirements of the grievance procedure, without just cause, will result in a decision in favor of the other party on any grievable issue, providing that the party not in compliance fails to correct the noncompliance within five (5) work days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the City Manager. The failure of either party, without just cause, to comply with all substantial procedural requirements at the panel hearing shall result in a decision in favor of the other party. (Virginia Code Section 15.2-1507(7)(a), as amended.)

5. Any dispute as to whether an employee is entitled to use this procedure or whether there has been a noncompliance with a substantial procedural requirement, without just cause, by any party, shall be submitted in writing to the Director of Human Resources, who shall render a determination.

6. Any compliance determination¹ may be reviewed by the Circuit Court of the City of Norfolk by the filing of a petition for such review within thirty (30) days after the date of the determination.

F. Grievability -The issue of grievability may occur at any step of the grievance procedure, following reduction of the grievance to writing and prior to a panel hearing. Once raised, the issue must be resolved prior to the panel hearing or it shall be deemed waived.

1. In the event of a disagreement as to whether a complaint is grievable within the scope of this procedure, the Director of Human Resources, the Director's representative, or the grievant shall, in

¹ A "compliance determination" is a decision that either a grievant or the City has or has not complied with a substantial procedural requirement without just cause.

writing, request an opinion from the City Manager, who shall render such opinion in writing ten (10) calendar days from the receipt of such request.

2. Grievability decisions of the City Manager and access decisions² of the Director of Human Resources may be appealed by the grievant to the Circuit Court for a hearing on the issue of grievability or access to the procedure, as the case may be, in accordance with the provisions of Virginia Code Section 15.2-1507(9), as amended. A notice of appeal must be filed with the City Manager within ten (10) calendar days after the date of the decision, and a copy thereof given to all other parties. Within ten (10) calendar days thereafter, the City Manager shall transmit to the Clerk of the Circuit Court of the City of Norfolk a copy of the decision sought to be reviewed, a copy of the notice of appeal, and all exhibits. Failure by the City Manager to comply within the time specified shall not prejudice the rights of the grievant. The court may, upon motion of the grievant, require the transmittal of records on or before a certain date. (Virginia Code Section 15.2-1507(9), as amended). The court may affirm, modify or reverse the decision appealed from. Time limitations will be suspended until a decision is returned by the court. The decision of the court is final and not appealable.

G. Procedure - The steps outlined below will be used for the processing of all grievances except for those complaints dealing with suspensions, demotions and dismissals. Such complaints shall be processed in accordance with paragraph 5 of this section.

1. Step 1 (Immediate Supervisor):

a. An employee who believes he has a grievance and wishes to use this Procedure shall discuss the grievance informally with his immediate supervisor within twenty (20) calendar days after the occurrence of the matter out of which the grievance arose, or within twenty (20) calendar days after the date the employee became aware or should reasonably have been aware of, the occurrence of the matter out of which the grievance arose. At this time, the grievance need not be submitted in writing, and a formal hearing is not required, but it must be clearly made known to

²"Access decisions" are those determining whether a grievant is eligible to use the procedure at all, and must be distinguished from "grievability" decisions, which determine whether the character or nature of a particular complaint qualifies for consideration under the procedure. (For example, a probationary employee is not entitled to "access" to the procedure at all, regardless of the grievability of his or her complaint. A complaint that an employee should receive a higher salary is not "grievable.")

the supervisor that a grievance under this Procedure is being presented. The immediate supervisor shall respond to the

grievant either orally or in writing, within ten (10) calendar days from the date of the discussion.

b. The grievant and the immediate supervisor must complete an Immediate Supervisor Conference Form verifying the date and location of the discussion with the immediate supervisor, the name of the immediate supervisor, each specific complaint discussed, and whether the grievance was resolved. If either the grievant or the immediate supervisor refuse or fail to complete the form, it may be completed by the other.. The description of the complaint discussed should be limited to a brief statement and should not include the entire discussion.

c. If the grievant challenges a suspension, the employee may waive this Step 1 and initiate his grievance at Step 2, by following the procedure for that step. If the grievance challenges a demotion or dismissal, the employee may waive Steps 1, 2 and 3, and initiate his grievance at Step 4, by submitting it, on the official grievance form, to the Director of Human Resources. In either situation, the time limit prescribed by Section E shall apply.

2. Step 2 (Middle Management):

a. In the event the immediate supervisor's reply is not satisfactory to an employee or there is no response by the immediate supervisor within the specified time, the employee may appeal to the appropriate middle management superior described below, by presenting the official grievance form, with the Immediate Supervisor Conference Form attached to such superior within ten (10) work days from receipt of the immediate supervisor's response or the deadline for that response, whichever occurs first.

b. The original written grievance must be on the official Grievance Form and must (1) specify the date of the discussion with the immediate supervisor, (2) the time and location of the action or incident giving rise to the grievance, (3) a detailed factual explanation of the nature of the grievance, (4) the specific rule or policy, if any, claimed to have been violated or inconsistently applied, and (5) the specific corrective action desired. It is important that facts

be stated rather than speculations or arguments. Any grievance reasonably deficient on required factual detail will be returned to the employee for inclusion of additional necessary information. In such instances, an employee will be allowed one (1) additional work day within which to resubmit the grievance.

c. The superior referred to at this step shall be an employee's superintendent, or bureau or division head, or a person of comparable rank designated by the department head in departments which do not have superintendents or bureaus or division heads. A department head may waive this step if the department head deems it not appropriate because of the size of the department, or for other valid reasons, and in such event, the time limits specified for Step 3 shall apply.

d. The superior designated above shall discuss the grievance with the employee and reply in writing as soon as possible, but in no event more than ten (10) work days from receipt of the grievance.

3. Step 3 (Department Head):

a. In the event an employee's grievance is not resolved to his or her satisfaction at Step 2, he or she may appeal to his or her department head, using the employee answer form, by presenting it to his or her department head within ten (10) work days from receipt of the Step 2 superior's reply.

b. The department head and the Director of Human Resources or the latter's designee shall discuss the grievance with the employee and reply in writing as soon as possible, but in no event more than ten (10) work days from receipt of the grievance. Should a grievance originate within the Department of Human Resources, then, for the purposes of this subparagraph, the Director shall serve in the capacity of department head above, and the City Manager shall designate a person to serve in lieu of the Director of Human Resources as named above.

4. Step 4 (Panel) - In the event the department head's reply is not satisfactory to the employee, the employee may, within ten (10) work days from receipt of such reply, request the Director of Human

Resources in writing that his or her grievance be heard by a panel. The procedure for selection of the panel shall begin within five (5) workdays from the receipt by the Director of the employee's request

5. In order to expedite grievances involving suspensions, demotions, and dismissals, unless otherwise requested by the grievant, the following process shall be used:

a. Grievances challenging suspensions shall be initiated at Step 2 of the procedure, as set out above, within twenty (20) calendar days of receipt of notice of suspension;

b. Grievances challenging demotions and dismissals must be initiated, within twenty (20) calendar days of notice of the City Manager's approval of the demotion or dismissal by filing a written request with the Director of Human Resources for a panel review of the action. Such written request shall constitute initiation of a grievance at Step 4 above.

6. The Director of Human Resources may consolidate separate related or unrelated grievances by the same employee, and related grievances by separate employees based upon the same occurrence, facts or circumstances, for hearing by the same panel.

7. The only persons who may normally be present at Step 1, 2 and 3 meetings are the grievant, the grievant's representative (if he or she has one), the appropriate supervisor, and appropriate witnesses for each side, who shall only be present while actually providing testimony. This procedure may be altered for Step 3 meetings by mutual consent of the grievant and the supervisor, and, regardless of agreement, one (1) additional person on each side will be permitted to be present at such meetings. (For example, a fellow worker to assist an inarticulate grievant explain his or her complaint, and/or a lower ranking supervisor with personal knowledge of the facts to provide relevant information to a department head, may be present).

H. Constitution of the Panel - Each panel convened pursuant to this procedure shall consist of three (3) members selected as follows:

1. The employee shall select another full-time permanent City employee as his or her panel member, subject to the provisions of paragraph 4 of this section, and shall forward the name of the panel member to the Department of Human Resources within ten (10)

work days of receipt from the Department of Human Resources of a request for the name of the panel member.

2. The employee's department head shall select a full-time permanent City employee as his or her panel member, and shall forward the name of the panel member to the Department of Human Resources within ten (10) work days of receipt from the Department of Human Resources of a request for the name of the panel member.

3. The panel members designated as set forth above shall select the third panel member from a list of five (5) persons provided by the Director of Human Resources, none of whom shall be employees of the City, which third panel member shall act as chairperson of the panel. Such lists of five (5) persons shall be drawn in rotation from a list of citizens determined to be suitable and impartial by the Chief Judge of the Circuit Court of the City of Norfolk. If any person on such list of five is unavailable to serve within a reasonable period of time, the next person on such list may be placed upon the list of five (5). In the event the two original panel members are unable to agree upon a third member, such member shall be selected by each of the original members alternately striking names from the list of five (5) until only one name remains. Any controversy about the impartiality or suitability of any person on the list provided by the Chief Judge of the Circuit Court, when such person is placed on a list of five (5), shall be resolved by the Chief Judge.

4. No City employee previously involved in a grievance for a period of twenty-four (24) months prior to the date of the initial filing of the grievance at hand or having direct personal knowledge of the grievance, or who could derive a direct benefit from a panel's opinion may be selected by either the grievant or the department head. Members of the Department of Human Resources, the Department of Law, and the City Manager's Office may not serve as panel members. No City employee may serve as a panel member within ninety (90) days after completion of previous service as a panel member.

5. To ensure an impartial panel, no person having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance, shall be eligible to serve. Managers who are in a direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of a participant in the grievance

process are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee or a co-employee of such an attorney shall serve as a panel member. (Virginia Code Section 15.2-1507(10)(a)(1), as amended).

6. In the event of a challenge to the eligibility for panel membership of any person selected by the grievant or the Department Head, the challenging party shall request in writing a determination of eligibility from the Director of Human Resources specifying with particularity the facts upon which the challenge is predicated. The Director of Human Resources shall determine the eligibility of the proposed panel member in accordance with the provisions of paragraphs 4 and 5 above, and shall reply in writing to the parties, within five (5) workdays after receipt of the request.

I. Authority of Panel:

1. The jurisdiction and authority of a panel and its opinion shall be confined exclusively to the matters specified above as grievable in Section B, and to the specific grievance asserted by an employee in his or her written grievance form. A panel shall have no authority to add to, detract from, or amend any ordinance, Civil Service Commission rule, rule adopted by the City Manager, or other City policy, or to formulate changes or alter policies thereby established.

2. A panel by a majority vote may uphold or reverse the action of the City or in appropriate circumstances may choose a modified remedy. The opinion of a panel on the merits of any grievance decided within its jurisdiction and authority, as specified hereinabove, shall be final and binding, subject to existing policies, procedures and law.

3. A panel in rendering its decision, shall state its decision clearly and succinctly, and, if it desires to state reasons for its decision, shall state such reasons separately from the decision itself.

4. The City Manager shall be responsible for determining whether the relief granted by a panel is consistent with law and written policy, or whether it adds to, detracts from or amends any law, ordinance, Civil Service Commission rule, or other written rule of the City, or formulates or changes or procedures thereby established.

J. Panel Hearings:

1. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, provided at the request of either party, the hearing shall be private.
2. The panel may, at the beginning of the hearing, ask for statements clarifying the issues involved.
3. Exhibits, when offered, may be received in evidence by the panel and when so received shall be marked and made part of the record.
4. The grievant and department head, or their representatives, shall then present their claims and proofs in the order decided by the panel, without regard to the burden of proof. If witnesses are presented, they shall submit to questions or other examination. The panel may, at its discretion, vary this procedure, but shall afford full and equal opportunity to all parties and witnesses for presentation of any material or relevant proofs. Rebuttal evidence may be permitted.
5. The parties shall produce such additional reasonable evidence as the panel may deem necessary to understanding and determination of the dispute. The panel shall be the judge of relevance, materiality and admissibility of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties, except by mutual consent of the parties.
6. The majority decision of the panel shall be final and binding and consistent with the provisions of law and written policies.
7. The panel chairman shall specifically inquire of the parties whether they have further proofs to offer or witnesses to be heard. Upon receiving negative replies, the chairman shall declare the hearing closed.
8. The hearing may be reopened at any time before an opinion is rendered by the panel on its own motion or upon application of a party for good cause.
9. The panel's decision shall be distributed using the grievance reply form no later than fifteen (15) workdays after the completion of the hearing.

10. Either party may petition the Circuit Court of the City of Norfolk for an order requiring the implementation of a panel's decision. (Virginia Code Section 15.2-1507(11), as amended.)

K. Employee Representation - Every employee shall be entitled to be represented at each step of this procedure by any person he desires, except that members of the Department of Human Resources, the Department of Law, and the City Manager's Office may not serve as employee representatives. No grievant, however, shall be entitled to representation by more than one City employee at a time, or by both legal and lay representatives at the same time. In the event any representative selected is not a City employee, arrangements for or notification to the representative and any expenses incurred as a result thereof shall be the responsibility of the grievant.

L. Witnesses:

1. Only persons who have direct, firsthand knowledge of the specific event or circumstances concerning the grievance at issue will be permitted to give evidence at any step of the grievance procedure, and the number of such witnesses shall be limited to those necessary for a fair presentation of the grievance. Witnesses whose testimony is concerned with the grievant's general character or any other information that does not bear a direct relationship to the grievance at issue will not be allowed to testify. Testimony of witnesses will be limited to that necessary for a fair presentation of the grievance at issue to prevent repetition.

2. If any witnesses at any step for the grievance procedure are City employees, they may give evidence during regular work hours without loss of pay. It is the responsibility of the grievant to secure the attendance of witnesses he or she desires to have present.

3. At the same time the Department of Human Resources requests the grievant and the grievant's department head to submit the names of their panel members, they will also be requested to submit a list of any witnesses they intend to present at the panel hearing within ten (10) work days. The list of witnesses as presented by the grievant and the grievant's department head will be distributed to all participants including the panel members, by the Department of Human Resources when the time, date, and location of the hearing, and copies of all appropriate correspondence concerning the grievance at issue are distributed to all participants. Witness lists may be amended, but except for rebuttal witnesses, persons not identified as witnesses to the Department of Human Resources within ten (10) workdays before

the scheduled panel hearing will not be permitted to testify at the panel hearing.

M. Director of Human Resources - The Director of Human Resources shall be responsible for monitoring the progress of grievances presented under this procedure. All supervisors, superintendents, department heads and other managerial personnel involved in a grievance shall keep the Department of Human Resources fully informed of the initiation and progress of all grievances.

N. Assistance to Employees – It shall be the duty of the department heads and supervisory persons in their charge to render assistance, when required, to any employee asserting a grievance or wishing to assert a grievance. That assistance shall include explanation of this procedure, making the necessary forms available, and providing clerical service for completing the forms necessary to use this procedure. Such assistance shall be impartial and constructive to the objective that each employee having reason or seeking to use this procedure shall have the full benefit of the entitlement of its purpose.

O. Records:

1. The Director of Human Resources will, no less than ten (10) calendar days prior to the scheduled panel hearing, provide the grievant with copies of the grievance record, i.e., all documents passing between the parties and the Department of Human Resources, and with a list of all documents furnished to the panel.

2. The grievant and his or her attorney, upon request, shall be allowed access to all relevant documents intended to be introduced or presented by the City at the panel hearing, at least ten (10) calendar days prior to the scheduled panel hearing.

3. Copies of all documents and exhibits to be presented at the panel hearing must be exchanged between parties no less than ten (10) workdays before the scheduled panel hearing. Except for rebuttal evidence, any document or exhibit not provided to the opposing party within that period will not be allowed in evidence.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

Policy Number

8.5

**Date Issued
1 January 2004**

**Subject:
SUBSTANCE
ABUSE AND DRUG-
FREE WORK PLACE
POLICY**

8.5 CITY OF NORFOLK SUBSTANCE ABUSE AND DRUG-FREE WORK PLACE POLICY

A. Purpose Statement - This Policy is intended to provide guidelines for the detection and deterrence of alcohol and drug abuse. It is the policy of the City of Norfolk to maintain a safe, healthful and productive work environment for all employees. To that end the City will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or tends to undermine public confidence in the City's work force. It is further the City's policy that the unlawful manufacture, distribution, possession or use of a controlled substance by City employees in the work place is prohibited. For the purposes of this Policy, the presence in an employee's body of alcohol at the levels described in Section B. below, or of controlled drugs or substances not prescribed for the employee, or of prescribed drugs or substances not disclosed to supervisors (as shown by a test report by the City's testing facility), which might possibly affect an employee's effective performance of duties or operation of City equipment, while the employee is in the work place or on duty, shall constitute a violation of this policy. All employees must comply with this Policy, and violations of this Policy will result in discipline, up to and including termination, or in not being hired.

Employees are reminded that if they are aware of a problem with substance abuse, the City makes professional help available without initial cost through its Employee Assistance Program (EAP). Contacts with and assistance rendered by the EAP staff are kept confidential, except in cases of child abuse and when employees may present a danger to themselves, fellow employees and/or the public. Employees with a problem are encouraged to use this benefit to help themselves before their employment is jeopardized.

B. Drugs to be Tested for - When drug and alcohol screening is required under the provisions of this Policy, a urinalysis, blood test, or breathalyzer test in the case of alcohol, will be given to detect the presence of the following drug groups:

1. Alcohol (ethyl)
2. Amphetamines/Methamphetamine
(e.g., speed, crystal)
3. Cocaine
4. Opiates
(e.g., Codeine, Heroin, Morphine, Hydromorphone,
Hydrocodone)
5. Phencyclidine (PCP)
6. THC (Marijuana)

For the purposes of this Policy, the presence in an employee's body of alcohol at the levels described below, or of controlled drugs or substances not prescribed for the employee, or of prescribed drugs or substances not disclosed to supervisors (as shown by a test report by the City's testing facility), which might possibly affect an employee's effective performance of duties or operation of City equipment, while the employee is in the work place or on duty, shall constitute a violation of this policy. In regard to alcohol, any test result of .04% or greater shall constitute a violation of this Policy. The foregoing test results shall constitute a violation of this Policy, regardless of any visible sign of impairment. Determinations under this section need not be dependent upon test results, and may in fact be based solely on other evidence, but test results alone shall be sufficient to constitute a violation.

While use of medically prescribed medications and drugs is not per se a violation of this Policy, failure by the employee to notify his/her supervisor, before beginning work, when taking medications or drugs which might interfere with the safe and effective performance of duties or operation of City equipment can result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, the issue will be resolved based upon competent medical evaluation.

C. Job Applicant Testing - All applicants, both part-time and full-time, will be required to undergo a drug test upon an offer of employment and prior to their final appointment.

D. Current Employee Testing - The City may require a current City employee to undergo drug and alcohol testing if there is reasonable suspicion that the employee is under the influence of drugs or alcohol during work hours, or if the nature of the particular employee's duties and responsibilities is such that it is critical that the employee remain drug-free at all times in the performance of his or her duties.

1. Testing Upon Reasonable Suspicion - "Reasonable suspicion" means an articulable belief based on specific facts, and reasonable inferences drawn from those facts, that an employee is under the influence of drugs or alcohol. Circumstances which constitute a basis for determining "reasonable suspicion" may include, but are not limited to:

- a. A pattern of abnormal or erratic behavior (e.g., hyperactivity, unexplained mood swings, paranoia, hallucinations);
- b. Information provided by a reliable and credible source;
- c. A work-related accident;
- d. Direct observation of drug or alcohol use;
- e. Possession of drugs or drug paraphernalia; or
- f. Presence of the physical symptoms of drug or alcohol use (e.g., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes, needle marks/scar tracks on arms, etc., onset or unusual perspiration or shakes, unusual drowsiness or sluggishness).

Supervisors at every level are responsible for observing and monitoring their employees' behavior for signs or symptoms of drug or alcohol use, and shall promptly report any such observations to the appropriate department head or designee. When a test is based upon personal observation alone, prior to the administration of a drug or alcohol test, the behavior of the affected employee should be observed by at least two supervisory personnel. These two

supervisors should concur on the need for a test. In the event that two supervisors are unavailable, the observation of one supervisor shall suffice. However, documentation should be submitted to the department head verifying the unavailability of an additional supervisory person to concur with the need for the administration of a test. The supervisors shall report to the department head or designee the specific facts, symptoms, or observations which form the basis for a belief that reasonable suspicion exists to warrant the testing of an employee, and shall obtain approval from the department head or designee prior to ordering an employee to submit to testing. Department heads will designate a sufficient number of supervisory officials with approval authority that one will be available to subordinate supervisors at all times. Supervisors shall document in writing the specific facts, symptoms, or observations justifying a determination of reasonable suspicion as soon as reasonably practicable, which may be either before or after the testing occurs.

Positive test results will constitute a violation of this Policy to the extent described in Section B. above.

2. Random Testing - An employee will be required to participate in random testing, when the duties or responsibilities of his or her position require or include:

- a. The handling and/or use of firearms; or
- b. The exercise of independent judgment in the rendering of emergency medical care and/or other emergency assistance; or
- c. The exercise of independent judgment in emergency situations; or
- d. The handling and/or use of equipment or materials, which, if mishandled or carelessly handled, could cause serious injury or damage; or
- e. The confiscation, custody and/or handling of illegal drugs; or
- f. Access to confidential law enforcement information which, if disclosed to unauthorized persons, could jeopardize the success of law enforcement activities.

Employees in positions that satisfy the foregoing criteria may be tested on a random basis as determined by the City Manager. There will be no prior notification given to employees as to the date, time or location of any random test to be conducted.

Positive test results will constitute a violation of this Policy to the extent described in Section B. above.

3. Post-Accident Testing

A. Conditions under which Post-Accident Testing is appropriate

Any City employee operating a City vehicle or equipment (including firearms when required by virtue of the employee's job responsibilities) will be tested for drugs and alcohol after an accident:

- i. If the accident involved the loss of life or injury requiring medical attention beyond basic first aid; or there exists reasonable suspicion of drug or alcohol use, or
- ii. If the City employee operating the City vehicle received a citation under state or local law for a moving traffic violation arising from the accident, or
- iii. If, as a result of the accident, there is substantial damage to either property or equipment.
- iv. Notwithstanding the above, the employee's supervisors shall determine and document whether or not testing for drugs and alcohol is appropriate, depending upon the facts and circumstances of the accident.

B. Alcohol Tests

- i. If an alcohol test required by this section is not administered within two hours following the accident, the immediate supervisor and the department head shall prepare and maintain on file in the division or department's office a record stating the reason why the test was not properly administered. If a test required by this section is not administered within eight hours following the accident, no attempt shall be made to

administer an alcohol test; however, the immediate supervisor and the department head shall prepare and maintain a record stating the reasons why the test was not promptly administered.

- ii. No employee tested pursuant to Section (b) who is found to have an alcohol concentration of .02% or greater but less than .04%, shall perform or continue to perform safety-sensitive functions for the City of Norfolk, including driving any City vehicle, or serving as a sworn member of the Departments of Police or Fire-Rescue, or operating any City vehicle, nor shall the City permit the employee to perform or continue to perform safety-sensitive functions until the City receives the results of that employee's drug screen. If the drug screen results are negative, the employee must undergo a return-to-duty alcohol test and test less than .02% prior to being allowed to return to duty.
- iii. Except as provided for in this section, the City shall not take any actions pursuant to this section against any employee based solely on test results showing an alcohol concentration of less than .02%. This does not prohibit the City from pursuing action where authority is vested independent of this section and otherwise consistent with law.

C. Controlled Substance Tests

- i. If a controlled substance test required by this section is not administered within thirty-two (32) hours following the accident, there shall be no attempt to administer a controlled substance test; however, the immediate supervisor shall maintain on file a record stating the reasons why the test was not promptly administered.
- ii. No City employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when that employee has used any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform that employee's required job functions.

The City requires all employees to inform their department head of any therapeutic drug use.

The results of a breath or blood test for the use of alcohol or urine test for the use of controlled substances, conducted by Federal or State officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to applicable Federal, State, or local requirements, and that the results of the test are obtained by the City of Norfolk.

D. Refusal to Cooperate with Post-Accident Testing

- i. A City employee who is subject to post-accident testing shall remain available for such testing, or may be deemed to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a City employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain emergency medical care.
- ii. An employee who refuses to consent to post-accident drug and alcohol testing is subject to disciplinary action, up to and including termination. Any refusal to cooperate fully with the administration of a test, any behavior which makes testing more difficult, or prevents administration or completion of the test, or in any manner alters or attempts to alter the test result, will be treated as a refusal to consent, regardless of whether a consent form is signed.

E. Administrative Action Pending Receipt of Test Results

- i. After any post-accident testing, no employee will be permitted to perform any safety-sensitive functions until such time as the test results are known. Safety-sensitive functions are defined as the handling and/or use of vehicles, equipment, or materials, which, if mishandled or carelessly handled, could cause death, serious injury, or serious damage to property.

- ii. Procedures regarding the transportation of employees for testing, and the authority of supervisors over employees with respect to transportation and test administration, have been promulgated and must be followed whenever employees are to be tested under the provisions of this Policy.

F. Supervisor Training - The City shall develop a program of training to assist supervisory personnel in identifying drug and alcohol use among employees. Such training will be directed towards helping supervisors recognize the conduct and behavior that give rise to a reasonable suspicion of drug or alcohol use.

G. Prior Notice of Testing Policy - The City shall provide written notice of this drug and alcohol testing policy to all employees and job applicants.

H. Consent - Before a urinalysis or blood test for drug and alcohol screening is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting release of test results to the City. The consent form shall provide space for employees and applicants to indicate current or recent use of prescription or over-the-counter medication.

I. Refusal to Consent: Applicants - A job applicant who refuses to consent to a drug and/or alcohol test, when requested, will be denied employment with the City. Any refusal or failure to cooperate fully with the administration of a test, any behavior which makes testing more difficult, or prevents administration or completion of the test, or in any manner alters or attempts to alter the test result, will be treated as a refusal to consent, regardless of whether a consent form is signed.

J. Refusal to Consent: Employees - An employee who refuses to consent to a drug and alcohol test is subject to disciplinary action up to and including termination. Any refusal or failure to cooperate fully with the administration of a test, any behavior which makes testing more difficult, or prevents administration or completion of the test, or in any manner alters or attempts to alter the test result, will be

treated as a refusal to consent, regardless of whether a consent form is signed.

K. Confirmation of Test Results and Employee/Applicant Notification -

An employee or job applicant whose drug test yields a positive result shall be given a second test using a verification test. The second test shall use a portion of the same test sample withdrawn from the employee or applicant for use in the first test. If the second test confirms the positive test result, the employee or applicant shall be notified of the results in writing by the appropriate department head or designee.

A portion of the test sample will be retained for six (6) months, and will be furnished to a reputable testing facility selected by an employee or applicant, upon request for a third test at the sole expense of the employee or applicant.

L. Consequences of a Confirmed Positive Test Result:

1. Applicants: - Job applicants will be denied employment with the City if their initial positive test results are confirmed. Applicants shall be informed in writing if they are rejected on the basis of a confirmed positive drug test result.

2. Employees: If an employee's positive test result is confirmed, the employee is subject to disciplinary action up to and including termination. Factors which may be considered in determining the appropriate disciplinary response include the employee's job classification, work history, length of employment, current job performance, the existence of past disciplinary actions, and the employee's action in voluntarily identifying himself/herself as a drug user or alcohol abuser and obtaining counseling and rehabilitation.

SUBJECT: Substance Abuse and
Drug-Free Work Place Policy

Policy Number: 8.5

Date Issued
1 January 2004

M. Disciplinary Actions - if an employee's positive test result has been confirmed and disciplinary action is taken, the employee may grieve or complain of such action, like other disciplinary actions, through the City's established Grievance Procedure or, in the case of sworn members of the Police and Fire-Rescue Departments, through other procedures to which they may be entitled under the City Charter or other statutes.

N. Confidentiality of Test Results - All information from an employee's or applicant's drug and alcohol test is confidential and only those with a need to know are to be informed of test results. Disclosure of test results to any other person, agency, or organization is prohibited unless written authorization is obtained from the employee or applicant. The results of a positive drug test shall not be released until the results are confirmed. The records of unconfirmed positive test results and negative test results shall be destroyed by the testing laboratory.

Disclosures, without an employee's or applicant's consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employer and employee or applicant; (3) the information is to be used in administering an employee benefit plan; (4) the information is needed by medical personnel for the diagnosis or treatment of the individual who is unable to authorize disclosure.

O. Laboratory Testing Requirements - All drug and alcohol testing of employees and applicants shall be conducted at medical facilities or laboratories selected by the City, with the exception of alcohol testing by the use of a breathalyzer, which may be conducted by qualified personnel at any site designated by the City. All procedures for the testing, analysis, labeling, handling, retention and storage shall be in accordance with standards established by the National Institute On Drug Abuse (NIDA).

P. Criminal Convictions (Notification):

i. It shall be the responsibility of every employee to notify the employee's department head of any criminal drug statute conviction for a violation occurring

in the work place no later than five (5) days after such conviction, in writing. Any failure of an employee to provide this notification shall be a separate ground for disciplinary action.

ii. Any department head who receives notification of a criminal drug statute conviction for a violation occurring in the work place, in addition to other administrative actions directed by this Policy, shall immediately report the same to the Director of Finance & Business Services, who shall determine whether the employee involved was directly engaged in the performance of work pursuant to the provisions of a Federal grant. In such event, the Director of Finance & Business Services shall promptly notify the Federal agency administering the grant of the conviction.¹

Q. Searches - The City reserves the right to search, without employee consent, all areas and property over which the City maintains joint control with an employee, or full control. Such areas and property include, but are not limited to desks, closets, bookcases, lockers, file cabinets, and/or City vehicles, and the allowance of employee security measures against third parties shall not divest the City of its authority to search. Warrants shall be obtained, if necessary, to search areas or property over which the City has no control. A department head or designee must consult with the Director of Human Resources or designee before any search is undertaken.

R. Educational Program - The City will establish a drug-free awareness program to inform employees about the dangers of drug abuse, the City's Policy, any available drug counseling, rehabilitation and employee assistance programs, and the penalties which may be imposed upon employees for drug abuse violations in the work place and elsewhere.

S. Severability - the provisions of this Policy are severable and if any court of competent jurisdiction shall hold any of its provisions unconstitutional or otherwise invalid, the decision of such court shall not affect or impair any of the remaining provisions.

¹ Federal law requires that some action be taken within 30 days, when a conviction is reported.



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

Policy Number

8.6

**Date Issued
1 January 2004**

**Subject:
GUIDELINES FOR
ACTIONS ON
SUBSTANCE
ABUSE VIOLATIONS**

8.6 GUIDELINES FOR ACTION ON SUBSTANCE ABUSE VIOLATIONS

The following administrative procedures are to be followed upon a determination of substance abuse by a City employee.

A. Supervisory and Employee Responsibilities:

1. Supervisory Responsibilities - supervisors must realize that they are responsible for identifying and documenting instances of unacceptable work performance, patterns of inadequate or deteriorating work performance, and abnormal behavior suggesting that an employee may have a drug or alcohol problem regardless of whether an employee has or is believed to have sought help from the EAP.

When a supervisor identifies conduct or behavior which he/she reasonably suspects is caused by a drug or alcohol problem, appropriate corrective action shall be taken, which may include, but need not be limited to, counseling of the employee, consultation with departmental supervisors, disciplinary action, and/or independent physical or psychological evaluation of the employee by a professional retained by the City (not EAP staff). Such supervisor's action will not be dependent upon whether an employee has sought or intends in the future to seek the help of the EAP.

Supervisors who fail to take appropriate action to detect and/or properly deal with substance abuse by employees under their supervision will themselves be subject to disciplinary action, up to and including termination.

2. Employee Responsibilities – employees who have a substance abuse problem are encouraged to seek assistance and are at liberty to do so privately. However, an employee whose substance abuse problem or impairment poses the slightest risk of harm or damage to himself/herself, fellow employees, the public or City or private property, is obligated to notify his/her supervisor immediately. Employees whose positions involve the handling

and/or use of firearms, the rendering of emergency medical care, the handling of emergency situations, the operation of City motor vehicles, the handling and/or use of equipment or materials which, if mishandled, could cause serious injury or death, the confiscation, custody and/or handling of illegal drugs, or access to confidential law enforcement information must accept relief from duty until it is medically certified that they are fit for duty without impairment, regardless of whether they have sought or are receiving assistance for a substance abuse problem.

B. Voluntary Admissions – the following procedures are to be utilized when an employee voluntarily identifies himself/herself as a drug or alcohol abuser.

1. When an employee makes a voluntary admission of drug or alcohol abuse, the supervisor should obtain basic information as to the nature and extent of the drug or alcohol use, its frequency, and its effect on the employee's work performance.

2. The employee's department head is to be informed of the employee's voluntary admission immediately and authorize a drug and/or alcohol test.

3. Regardless of the employee's classification, he/she will be relieved of duties until such time as the test results are known and until the department head or his/her designee has the opportunity to determine what course of action should be taken. The employee will be allowed to take either annual or sick leave or approved leave without pay, to cover this absence from work. If the employee refuses to take leave, he/she will be suspended for such time until the test results are known, in accordance with Section F of these procedures.

4. The employee's supervisors will meet as soon as possible with their department head and a representative of the Department of Human Resources to determine whether the option of rehabilitation should be offered to the employee or whether disciplinary action is warranted. The criteria contained in Section L, (Consequences of a Confirmed Positive Test Result), of the City's Substance Abuse Policy ("Factors which may be considered in determining the appropriate disciplinary response include the employee's job classification, work history, length of employment, current job performance, the existence of past disciplinary actions, and the employee's action in voluntarily identifying himself/herself as a drug

user or alcohol abuser and obtaining counseling and rehabilitation”) are to be used in determining the appropriateness of extending a rehabilitation opportunity to an employee.

5. Refer to Section D (Evaluation and Decision on Action to be Taken) for further processing information.

C. Reasonable Suspicion or Random Testing:

1. Reasonable Suspicion – when ever an employee is ordered to be tested under the “reasonable suspicion” section of the City’s Substance Abuse Policy, the employee will be subject to suspension in accordance with Section F of these procedures. If the employee is suspended, a Suspension Conference Form will be completed at the time of suspension, and the form will be immediately forwarded to the Department of Human Resources. The Suspension Conference Form will list as the reason for the suspension, “pending results of a (insert type of test) test.”

Note: In those cases when an employee is tested for being under the influence of alcohol while at work, and the test results are confirmed, the employee will be suspended in accordance with Section F of these procedures. A Suspension Conference Form will be completed at the time of suspension, and the form will be immediately forwarded to the Department of Human Resources. The Suspension Conference Form will list as the reason for the suspension “reporting to work under the influence of intoxicants.”

2. Random Testing – whenever an employee is required to be tested under the random selection section of the City’s Substance Abuse Policy and the test results are positive, the employee will be suspended in accordance with Section F of these procedures. A Suspension Conference Form will be completed at the time of suspension, and the form will be immediately forwarded to the Department of Human Resources. The Suspension Conference Form will list as the reason for the suspension, “positive results of random testing.”

3. If a positive result is obtained from either reasonable suspicion testing or random testing, and while the employee’s suspension is continued, the employee’s supervisors will meet with their department head to determine disciplinary action is warranted or whether the option of rehabilitation should be offered to the employee.

The criteria contained in Section L, (Consequences of a Confirmed Positive Test Result), of the City's Substance Abuse Policy ("Factors which may be considered in determining the appropriated disciplinary response include the employee's job classification, work history, length of employment, current job performance, the existence of past disciplinary actions, and the employee's action in voluntarily identifying himself/herself as a drug user or alcohol abuser and obtaining counseling and rehabilitation") are to be used in determining the appropriateness of extending a rehabilitation opportunity to an employee.

4. If the test results indicate the employee was not under the influence of either drugs or alcohol, and there is no other evidence of substance abuse, all records of the suspension shall be removed from the employee's personnel records and the employee will be reimbursed for any time lost from work due to that suspension.

5. Refer to Section D (Evaluation and Decision on Action to be Taken) for further processing information.

D. Evaluation and Decision on Action to be Taken:

1. If the test results are positive, or if there is other evidence establishing substance abuse, the employee will meet with his/her department head and a representative of the Department of Human Resources in order to review the situation personally with the employee, to determine whether a rehabilitation opportunity is to be offered to the employee, or other appropriate action is to be taken.

2. If it is decided not to extend a rehabilitation opportunity to an employee, other administrative options include, but are not limited to, disciplinary action, or a medical and/or psychological evaluation to determine the employee's fitness for continued duty.

3. If it is decided to extend a rehabilitation offer to the employee, the department head will provide the employee with an Alcohol/Drug Rehabilitation Opportunity (ADRO) form and explain to the employee possible available resources for treatment programs (e.g., the employee's primary care physician, the Employee Assistance Program, the Community Services Board, etc.). Both the Employee Assistance Program and the Community Services Board have agreed to give priority to City employees seeking assistance for drug/alcohol abuse. The employee will be instructed that it will be his/her responsibility to complete the ADRO

form satisfactorily and return it to the department head within ten (10) workdays of the meeting.

4. The department head, in consultation with the Director of Human Resources, or their designees, will decide if the employee will be allowed to return to work during this ten (10) workday period. If it is decided that the employee will be allowed to return to work, the department must forward that decision to the Department of Human Resources. If it is decided that the employee will not be allowed to return to work, the employee will be allowed to take either annual or sick leave, or approved leave without pay, to cover this absence from work. A leave card must be completed and signed by the employee at this time. (Note: If the completed ADRO form is not returned to the department head within ten (10) workdays, any continued absence without notification to the department head or bureau superintendent will be considered unauthorized leave. Any such absence of five (5) or more consecutive workdays will be considered abandonment of the employee's position). In making this decision, a written statement by a physician or other qualified health care provider that he or she is aware of the nature of the employee's work and that the employee's continued service will pose no risk of harm to the employee or others will be considered, if presented, but will not be determinative.

5. When the employee returns a completed ADRO form to his/her department head, the form is to be reviewed by the department head and a representative of the Department of Human Resources for completeness. The proposed rehabilitation program must be identified and described in detail. This material may be attached to the ADRO form.

6. If the ADRO form is complete, the department head will sign and forward it to the Department of Human Resources, along with a memorandum advising of the employee's current work status.

7. The Department of Human Resources is to forward the ADRO form to the City Manager's Office for review and approval.

8. The decision of the City Manager's Office will be forwarded to the Human Resources Department, which in turn will notify all of the participants of that decision.

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E Offers of Rehabilitation Opportunity – this alternative will be at the employee's sole expense. Programs are currently available through employee health insurance plans made available by the City providing both inpatient and outpatient medical care for substance abuse problems. The rehabilitation provider and the program, as provided above, will have to be approved by the City. The employee, at his/her option, may Board, and/or other agencies or resources, for assistance in formulating a rehabilitation plan.

1. The employee will be required to sign a form:

- a. Admitting the use of illegal drugs or alcohol (but containing language precluding its use for any criminal purpose); and
- b. Specifically requesting the opportunity to rehabilitate himself/herself; and
- c. Requesting to take a leave of absence if necessary for the purpose of obtaining rehabilitation treatment, and agreeing to provide evidence of satisfactory completion of such treatment approved by the City, and a negative drug test result from a facility approved by the City; and
- d. Agreeing that if he/she fails to satisfactorily complete a program of substance/alcohol abuse rehabilitation approved by the City or to provide written evidence of satisfactory completion of the same, disciplinary action or further disciplinary action will be taken (i.e., acknowledging understanding that the rehabilitative opportunity offered is not a waiver of the City's right to discipline); and
- e. Agreeing to voluntarily submit to random testing at any time requested within twelve (12) months after reinstatement to duty, with any refusal to constitute grounds for termination.

2. The employee will also be required to execute a comprehensive authorization allowing the City to review any and all medical and hospital records pertaining to his/her rehabilitation program or treatment, and to discuss it and them with any doctor or other person involved. Any information obtained by the City pursuant to such authorization will be kept confidential to the extent

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1 January 2004

permitted by law or not necessary to defend the City's interests, and will not be released unless required by subpoena, court order, discovery proceeding or the City's interest.

3. The employee will be allowed to use his/her accrued annual leave and/or sick leave for any period of absence, and will be granted leave without pay for whatever period of absence is not covered by accrued annual and/or sick leave.

F. Suspensions

1. Immediate Action – any employee, whose work capability is believed to be impaired to any extent, is to be immediately suspended (or, in the case of a voluntary admission of substance abuse, to be allowed to take leave). No employee who is believed to be impaired to any extent by alcohol or an illegal substance may be allowed to remain on duty. Disciplinary Rule C. (2) (e) allows immediate suspension by an immediate supervisor for up to two (2) days, subject to department head approval.

2. Suspension Pending Evaluation of Alternatives – disciplinary Rule C(2) (f) allows “investigatory” suspension by the City Manager for up to 30 days (if additional time is needed to clarify evidence or to receive test results). The City manager, by the promulgation of this policy, is generally authorizing department heads to suspend employees by his/her authority under this rule, in substance abuse situations, for periods not exceeding 30 days, which are necessary to obtain test results, to evaluate the propriety of disciplinary action or rehabilitation, and to determine the appropriate action. This authority may only be exercised after consultation with and concurrence by the City Attorney and the Director of Human Resources, or their designees.

3. Return to Duty – if there is no clear evidence of impairment, an employee may, at the discretion of his or her department head, be allowed to return to work pending the receipt of test results or collection of other evidence (i.e., where substance abuse is reasonable suspected but a provable case has not yet been documented, and the nature of the work poses no hazard to the employee, to fellow employees, to the public, or to City property). In the event of any uncertainty, however, an employee holding a position in any of the occupational categories for which random testing is permitted should not be permitted to return to duty, even temporarily, unless he or she first furnishes a completed Certification of Fitness of Duty form, signed by a licensed physician.

Revised 1/2004



**City of
Norfolk**

PERSONNEL ADMINISTRATIVE POLICIES MANUAL

**Policy Number
8.7**

**Date Issued
1 January 2004**

**Subject:
GUIDELINES FOR
DISCIPLINARY
ACTIONS ON
SUBSTANCE
ABUSE VIOLATIONS**

8.7 GUIDELINES FOR DISCIPLINARY ACTION ON SUBSTANCE ABUSE VIOLATIONS

It is emphasized that the following are guidelines only, and are not to be understood as restricting the legal authority of Department heads or the City Manager to consider extenuating circumstances in particular cases. In other words, the City Manager at all times retains the full authority to administer disciplinary action according to the individual facts and circumstances of particular cases, and to disregard these guidelines in whole or in part.

A. Management Alternatives:

1. Immediate Action - any employee whose work capability is impaired to any extent, is to be immediately suspended. No employee who is believed to be impaired to any extent by alcohol or an illegal substance may be allowed to remain on duty. Disciplinary Rule C(2) (e) allows immediate suspension by an immediate superior for up to two (2) days, subject to department head approval. Disciplinary Rule C(2) (f) allows "investigatory" suspension by the City Manager for up to 30 days (if additional time is needed to clarify evidence or to receive test results). If there is no clear evidence of impairment, an employee could be allowed to return to work pending receipt of test results or collection of other evidence (i.e., where substance abuse is reasonably suspected but a provable case has not yet been documented, and the nature of the work poses no hazard to the employee, to fellow employees, to the public, or to City property).

2. Evaluation - all of the facts and circumstances relating to the situation and the individual employee should be evaluated. Factors which may be considered in determining the appropriate action include the employee's job classification, work history, length of employment, current job performance, the existence of past disciplinary actions, and the employee's action in voluntarily identifying himself/herself as a drug user or alcohol abuser and obtaining counseling and rehabilitation. The evaluation may include examination by a qualified medical professional at the City's expense.

3. Alternatives - the basic management alternatives are:

- a. Disciplinary action, up to and including termination; or
- b. Offer of rehabilitation opportunity.

4. Offers of rehabilitation opportunity - this alternative will be at the employee's sole expense. Programs are currently available through employee health insurance plans made available by the City providing both inpatient and outpatient medical care for substance abuse problems. The rehabilitation provider will have to be approved by the City. The employee, at his/her option, may consult the EAP Coordinators for assistance in formulating a rehabilitation plan, provided that the described authorization is executed. The employee must submit his or her proposed rehabilitation provider's name, address, phone number, and treatment proposal to the City no later than three (3) days from the date of offer of rehabilitation opportunity.

- a. The employee will be required to sign a form:
 - i. Admitting the use of illegal drugs or alcohol (but containing language precluding its use for any criminal purpose); and
 - ii. Specifically requesting the opportunity to rehabilitate himself/herself; and
 - iii. Requesting to take a leave of absence for a period not exceeding 45 days for the purpose of obtaining rehabilitation treatment,

and agreeing to provide evidence of satisfactory completion of such treatment approved by the City, and a negative drug test result from a facility approved by the City; and

iv. Agreeing that if he/she fails to satisfactorily complete a program of substance/alcohol abuse rehabilitation approved by the City or to provide written evidence of satisfactory completion of the same, and/or fails to produce a negative drug test result from a facility approved by the city within 45 days, disciplinary action or further disciplinary will be taken (i.e., acknowledging understanding that the rehabilitative opportunity offered is not a waiver of the City's right to discipline); and

v. Agreeing to voluntarily submit to random testing at any time requested with in twelve (12) months after reinstatement to duty, with any refusal to constitute grounds for termination.

b. The employee will also be required to execute a comprehensive authorization allowing the City to review any and all medical and hospital records pertaining to his/her rehabilitation program or treatment, and to discuss it and them with any doctor or other person involved. Any information obtained by the City pursuant to such authorization will be kept confidential to the extent permitted by law or not necessary to defend the City's interests, and will not be released unless required by subpoena, court order, discovery proceeding or the City's interests.

c. The employee will be allowed to use his/her accrued annual leave and/or sick leave for any period of absence, and will be granted leave without pay for whatever period of absence is not covered by accrued annual leave.

5. Disciplinary Action Combined with Offer of Rehabilitative Opportunity - there will be situations in which disciplinary action less than termination may be required even if an employee accepts an offer of rehabilitative opportunity (e.g., supervisory personnel, paramedical personnel, public safety personnel, etc.).

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: BUSINESS CONDUCT POLICY (8.8)

Page 1 of 3



**City of
Norfolk**

EFFECTIVE DATE: April 10, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "M. [unclear] [unclear]", written over a horizontal line.

I. PURPOSE

The City of Norfolk prides itself on being a well-managed organization committed to providing excellent service and leadership to all who visit, work and live in Norfolk. Public trust and respect is essential to achieving this goal.

II. POLICY

The City of Norfolk is proud of its commitment to provide excellent services and leadership to all who live, work and play in Norfolk. It is expected that City employees will conduct themselves in a respectful and responsible manner at all times.

The City has committed to a guiding principle of building a "well-managed government." This means ensuring that the City is effective, efficient, accountable, responsive, inclusive, and customer-focused.

III. PROCEDURE

A. Guiding Values

Employees are considered representatives and ambassadors of the City. Conduct in and away from the workplace impacts the ability to perform jobs and influences the City's overall effectiveness. Therefore, employees are expected, at all times, to behave responsibly, use good judgment, display appropriate workplace behavior and to demonstrate the values of:

- **Accountability:** Take ownership and responsibility for individual and team actions and remain focused on the priorities of the City of Norfolk;
- **Integrity:** Model honesty and trustworthy behavior through an inclusive and customer-oriented government. Ensure that actions are based on an ethical character and a positive reputation. Communication that is consistent, accurate, and complete will build public and organizational trust. Do the right thing, the right way;
- **Innovation:** Support continuous improvement and demonstrate a civic entrepreneurial attitude by generating new ideas, advancing best practices and effectively operating as a team;
- **Respect:** Treat all with dignity and courtesy by listening, empathizing, and valuing opinions and perspectives. Treat all members of the community and the organization fairly and equitably. Our actions and works support a healthy, civil, and positive environment. Harassment in any form, including bullying, is

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: BUSINESS CONDUCT POLICY (8.8)

Page 2 of 3



unacceptable.

B. Expectations on Professional Conduct

Employee behavior inside and outside of the workplace is a reflection on the City of Norfolk. Each employee's conduct should support the public's trust and confidence in local government. Employees should demonstrate behavior that is consistent with the City's values. Every City employee is expected to act in a professional manner. The following list provides examples of specific behaviors that demonstrate each City value:

Accountability

- Follow through on assignments and work commitments with enthusiasm and care.
- Manage time effectively to ensure that critical work is completed in a timely fashion.
- Support fellow employees in contributing to the success of Norfolk.
- Resolve customer inquiries or complaints as expeditiously as possible. Request immediate assistance if experiencing difficulty resolving issues.

Integrity

- Communicate honestly and accurately in all work relationships and interactions with customers.
- Report any incident that may reflect on the honesty or integrity of the City to your immediate supervisor or to the Office of the City Auditor.
- Protect confidential information.
- Where appropriate, share information with employees that is necessary and helpful for effectively completing work.
- Follow Norfolk's policies and procedures in aspects of work.
- Identify and avoid any conflicts of interest in actions.

Innovation

- Avoid waste and recommend methods to complete work more effectively and efficiently.
- Support new initiatives proposed by the City by understanding the initiative and accurately communicating about the initiative.
- Be willing to change and encourage teammates to change in order to work more effectively.

Respect

- Actively listen and seek to understand others needs and expectations including customers, coworkers and managers. Avoid yelling or profanity in the workplace.
- Actively seek and value others' opinions including those who share different beliefs and values.

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: BUSINESS CONDUCT POLICY (8.8)

Page 3 of 3



IV. RESPONSIBILITY

A. All Employees:

The City of Norfolk expects the conduct and behavior of its employees and officials to be exemplary whenever they represent the City. Though this policy promotes the highest ideals of public service, it cannot claim to speak for the beliefs held by each individual representing the City of Norfolk. This policy should serve as a general conduct guide for representatives of the City. Violation of specific City, or Agency policies, rules or regulations may hold consequences for the violator.

B. Supervisors/Managers:

The City of Norfolk encourages proactive management to address unprofessional conduct as early as possible in an effort to prevent further incidents or escalation. Supervisor/Managers should initially use coaching and performance management to address behaviors that conflict with City values.

V. HISTORY

N/A

VI. COMPLIANCE/REPORTING

The City Manager will provide periodic updates to City Council, citizens, and employees on actions which support this policy.

VII. REGULATION UPDATE

This policy has been established by the City Manager. Modifications to this Policy shall be the responsibility of the Office of the City Manager.

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-DISCRIMINATION POLICY (8.9)

Page 1 of 3



EFFECTIVE DATE: April 10, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk promotes an atmosphere of respect and strives for a workplace that is free from any form of discrimination. All citizens, officials, employees, and individuals who conduct business with the City should be treated with dignity and courtesy. The City of Norfolk will not tolerate any form of discrimination. All acts of discrimination are considered serious offenses and appropriate action will be taken against any employee in violation of this policy.

II. POLICY

The City prohibits discriminatory practices in all facets of business and operations. Discrimination based upon a person's race, color, religion, sex, national origin, pregnancy status, age, sexual orientation, disability, veterans status, genetic information or any other characteristic protected by law will not be tolerated. All City employees, volunteers, and contractors are expected and required to abide by this policy.

Discrimination includes any actions which prevent equal opportunity in employment decisions. This policy prohibits discrimination in all aspect of employment, including but not limited to:

- Recruitment and selection of staff
- Negotiation of terms and conditions of employment
- Allocation of training and development resources and types of training offered
- Consideration and selection for transfers, promotions, Reductions in Force, or dismissal
- Selective preference in shift assignment and/or scheduling days off
- Delegation of authority, assignment of work, and dissemination of communication
- Wage and salary administration
- Employee benefits

Discrimination also includes incidents where employees in a protected group are harassed. The anti-harassment policy covers this form of discrimination (Refer to policy 8.10 – Anti-Harassment).

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-DISCRIMINATION POLICY (8.9)

Page 2 of 3



III. REPORTING DISCRIMINATION

Individuals who believe they have experienced discrimination should inform their immediate supervisor, other appropriate departmental officials, or the Department of Human Resources, including specific actions or occurrences, when possible. Supervisors or other appropriate officials will immediately investigate and deal with any act of discrimination in accordance with City policy regarding such behavior and apply disciplinary action, in consultation with the Department of Human Resources, as appropriate. Employees may also directly contact the Department of Human Resources or use the City's Grievance Procedure for relief or remedy from discrimination.

IV. RESPONSIBILITIES

A. Human Resources

The Department of Human Resources is responsible for the oversight and administration of the policy, which includes:

- Investigating any charges of discrimination in the workplace.
- Assisting departments in the administration and understanding of the policy.
- Providing ongoing training for new employees and supervisors to clearly communicate expectations with respect to anti-discrimination.
- Promoting a workplace free of discrimination.

B. Managers and Supervisors

Department Managers and Supervisors are responsible for promoting a workplace that is free of discrimination and adhering to the guidelines established in this policy, including:

- Encouraging and modeling respect and fair treatment of all employees and individuals conducting business with the City.
- Taking all claims of discrimination seriously and following up on any complaints.
- Taking immediate action to stop discrimination including protecting individuals from continued discrimination or retaliation.
- Monitoring the workplace and addressing any violations of this policy.

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-DISCRIMINATION POLICY (8.9)

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**City of
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C. All Employees

City employees are responsible for:

- Reporting acts of discrimination in a timely manner.
- Treating each other with respect, dignity and courtesy.
- Complying with the guidelines established in this policy.
- Reviewing and adhering to any updates of this policy.

V. NON-RETALIATION

This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Any employee bringing a complaint or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment, discriminated against or discharged solely on the basis of the complaint. (Refer to Policy 8.11 – Anti-Retaliation)

VI. DISCIPLINE

Any employee violating this policy will be subject to appropriate disciplinary action up to and including termination depending upon the severity of the incident. Disciplinary action may also be taken against any official, supervisor, or manager who condones or ignores potential violations of this policy or otherwise fails to take appropriate action to enforce this policy.

VII. HISTORY

N/A

VIII. AUTHORITY

Title VII, Civil Rights Act, as amended
Age Discrimination Employment Act, as amended
Americans with Disabilities Act, as amended
Equal Pay Act
Immigration Reform and Control Act
Civil Rights Act of 1866
Genetic Information Nondiscrimination Act

IX. REGULATION UPDATES

Modifications to this Policy shall be the responsibility of the Department of Human Resources.

Policy and Administrative Regulations

CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-HARASSMENT POLICY (8.10)

Page 1 of 5



EFFECTIVE DATE: April 10, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk promotes an atmosphere of respect and strives for a workplace that is free from any form of harassment. All citizens, officials, employees, and individuals who conduct business with the City should be treated with dignity and courtesy. All acts of harassment are considered serious offenses and appropriate measures will be taken against any employee in violation of this policy.

II. POLICY

Harassment is a form of discrimination which violates Title VII of the Civil Rights Act of 1964 and other employment laws. Harassment based upon, but not limited to, a person's race, color, religion, sex, national origin, pregnancy status, age, sexual orientation, disability, veterans' status, genetic information or any other characteristics protected by law will not be tolerated. All employees are expected and required to abide by this policy.

Harassment in the workplace refers to unwelcome and inappropriate verbal or physical conduct which degrades or exhibits hostility toward an individual or group based on membership in a protected group. Such behavior may create a hostile work environment. A hostile work environment occurs when inappropriate behaviors or conduct interfere with the ability of an employee to complete his/her work or creates an environment that is intimidating, hostile, or offensive.

Examples of harassment include but are not limited to:

- Slurs, derogatory comments, insulting jokes, gestures or pictures that target members of a protected class. This includes verbal, written and electronic communication.
- Threatening, taunting or intimidating members of a protected class.
- Criticizing an individual based on membership in a protected class.

When harassment includes unwelcome or inappropriate conduct of a sexual nature, this is known as sexual harassment. Sexual harassment may occur when a hostile work environment is created, as described above, or when an employee is offered tangible

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CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-HARASSMENT POLICY (8.10)

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employment rewards in exchange for sexual behavior by an individual in a position of authority. Behaviors identified as sexual harassment include:

- Sending explicit or sexually suggestive emails.
- Making sexually suggestive gestures, comments, or innuendo.
- Any unwelcome physical contact toward another individual.
- Displaying offensive or pornographic posters, comics, pictures, screen savers, graphics, etc.
- Demanding sexual favors in exchange for a job benefit such as promotion or pay increase.

Additional forms of harassment include, but are not limited to, the following:

1. **Verbal harassment:** For example, epithets, derogatory comments or slurs on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, age, marital status, sex, sexual orientation, political opinions or affiliations, or lawful employee organization activities. Verbal harassment may also include sexual remarks or well-intentioned compliments about a person's clothing, body, or sexual activities;
2. **Physical Harassment:** For example, assault, unwelcome touching, impeding or blocking movement, and/or any physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, age, marital status, sex, sexual orientation, political opinions or affiliations, or lawful employee organization activities. This includes, but is not limited to, posters, magazines, videos, Internet sites or other electronic media of a sexual nature;
3. **Visual Harassment:** For example, derogatory posters, notices, bulletins, cartoons, drawings, or other advertisements on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, age, marital status, sex, sexual orientation, political opinions or affiliations, or lawful employee organization activities. This includes, but is not limited to, posters, magazines, videos, Internet sites, or other electronic media of a sexual nature;
4. **Hostile Environment:** Conduct including the above-referenced behaviors that have the purpose or effect of creating an intimidating, hostile, or offensive work environment of creating an intimidating, hostile, or offensive work environment.

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TITLE: ANTI-HARASSMENT POLICY (8.10)

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III. REPORTING HARASSMENT

Individuals who believe they are being harassed should inform their immediate supervisor, other appropriate departmental officials, or the Department of Human Resources of instances of harassment, including specific actions or occurrences, when possible. Supervisors or other appropriate officials will immediately investigate and deal with any act of harassment in accordance with City policy regarding such behavior and apply disciplinary action, in consultation with the Department of Human Resources, as appropriate. Employees may also directly contact the Department of Human Resources or use the City's Grievance Procedure for relief or remedy from harassment.

IV. RESPONSIBILITIES

A. Human Resources

The Department of Human Resources is responsible for the oversight and administration of the policy, which includes:

- Investigating any charges of harassment in the workplace.
- Assisting departments in the administration and understanding of the policy.
- Providing ongoing training for new employees and supervisors to clearly communicate expectations with respect to anti-harassment.
- Promoting a workplace free of harassment.

B. Managers and Supervisors

Department Managers and Supervisors are responsible for promoting a workplace that is free of harassment and adhering to the guidelines established in this policy, including:

- Encouraging and modeling respect and fair treatment of all employees and individuals conducting business with the City.
- Taking immediate action to stop harassment including protecting individuals from continued harassment or retaliation.
- Taking all claims of harassment seriously and following up on any complaints.
- Reporting all complaints to Human Resources.
- Monitoring the workplace and addressing any violations of this policy.

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TITLE: ANTI-HARASSMENT POLICY (8.10)

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C. All Employees

City employees are responsible for:

- Creating a work-environment that is free from harassment.
- Reporting acts of harassment in a timely manner.
- Complying with the guidelines established in this policy.
- Reviewing and adhering to any updates of this policy.

V. NON-RETALIATION

This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Any employee bringing a complaint or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment, discriminated against or discharged solely on the basis of the complaint. (Refer to Policy 8.11 – Anti-Retaliation)

VI. DISCIPLINE

Any employee violating this policy will be subject to appropriate disciplinary action up to and including termination depending upon the severity of the incident. Disciplinary action may also be taken against any official, supervisor, or manager who condones or ignores potential violation.

VII. HISTORY

Replaces Sexual Harassment Policy

VIII. AUTHORITY

Title VII, Civil Rights Act, as amended
Age Discrimination Employment Act, as amended
Americans with Disabilities Act, as amended
Equal Pay Act
Immigration Reform and Control Act
Civil Rights Act of 1866
Genetic Information Nondiscrimination Act

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IX. REGULATION UPDATES

Modifications to this Policy shall be the responsibility of the Department of Human Resources.

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CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-RETALIATION POLICY (8.11)

Page 1 of 3



EFFECTIVE DATE: April 10, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk expects all employees to be honest and ethical in their conduct, comply with applicable government laws, policies and regulations, deal fairly with other employees, applicants, customers, volunteers and business associates, and protect and ensure the proper use of City assets.

The City is committed to prohibiting retaliation against those who report, oppose, or participate in the investigation or alleged wrongdoing in the workplace. This policy is designed to ensure that all employees feel comfortable speaking up without fear of retaliation when they see or suspect illegal or unethical conduct. It is also intended to encourage all employees to cooperate with the City's internal investigation of any matter by providing honest, truthful and complete information without fear of retaliation.

II. POLICY

No employee should be retaliated against in any manner as a result of his or her making a good faith complaint, raising a concern, providing information or otherwise assisting in an investigation or proceeding regarding any conduct that he or she reasonably believes to be in violation of any City of Norfolk policy, applicable law, rule or regulation. Acts of retaliation include, but are not limited to: discharge, demotion, suspension, threats, harassment, intimidation or coercion.

The City prohibits employees from being retaliated against even if their complaints are proven unfounded by an investigation. If an employee knowingly makes a false allegation, provides false or misleading information in the course of an investigation, or otherwise acts in bad faith; the appropriate disciplinary action will be taken. Anyone who files a retaliation complaint recklessly or with a willing disregard for the facts, so that the report or complaint is found to be lacking in "good faith" will be subject to disciplinary actions up to and including termination.

III. REPORTING RETALIATION

An employee may make a complaint to their supervisor or directly to the Department of Human Resources. The complaint can be verbal or in writing. All details of the incident or incidents, names of individuals involved, to include the names of any witnesses, should be provided. The individual making the complaint will certify that the information provided contains true facts, or information that the individual believes to

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CHAPTER 8: HUMAN RESOURCES

TITLE: ANTI-RETALIATION POLICY (8.11)

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be true. The complaint should be filed as soon as possible after either the alleged act of retaliation, or the date the individual first became aware of the alleged retaliation.

IV. RESPONSIBILITIES

A. Human Resources

The Department of Human Resources will:

- Administer the complaint procedure, authorizing and/or conducting an investigation and, in consultation with the department head, recommend disciplinary action depending upon the severity of the offense.
- Immediately undertake an effective, discrete, thorough and objective investigation of the allegations. Each complaint will be investigated to the extent deemed appropriate. The investigation may include interviews with the reporting individual, the accused, and any other person having relevant knowledge concerning the allegations.
- Notify those with a need-to-know the general conclusion(s) of the investigation and will take appropriate action.

B. Managers and Supervisor

Department managers and supervisors are responsible for encouraging and modeling respect and fair treatment of all employees. Managers and supervisors should:

- Immediately report suspected retaliation to the Department of Human Resources.
- Monitor employees who have filed a complaint to ensure they are not retaliated against.

C. All Employees

City employees are responsible for:

- Reporting acts of retaliation in a timely manner.
- Complying with the guidelines established in this policy.
- Reviewing and adhering to any updates of this policy.

V. DISCIPLINE

Any employee violating this policy will be subject to appropriate disciplinary actions, up to and including termination. Disciplinary actions may also be taken against any official, supervisor or manager who condones or ignores potential violations of this policy or otherwise fails to take appropriate action to enforce this policy.

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VI. HISTORY

N/A

VII. REGULATION UPDATES

Modifications to this Policy shall be the responsibility of the Department of Human Resources.

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CHAPTER 8: HUMAN RESOURCES

TITLE: WORKPLACE VIOLENCE POLICY (8.12)

Page 1 of 4



**City of
Norfolk**

EFFECTIVE DATE: July 1, 2012

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

I. PURPOSE

The City of Norfolk promotes a safe work environment for employees free from any threat of violence and maintains a "zero tolerance" policy. This means that the City will not tolerate physical violence or verbal threats, directed or implied, towards any co-worker, supervisor or manager.

II. POLICY

The City encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Department of Human Resources before the situation escalates into potential violence. The City is committed to assisting in the resolution of employee disputes, and will not discipline employees for raising such concerns. Any report of workplace violence will be handled confidentially, with information released only if necessary for effectively addressing this situation.

Workplace violence is defined as any action that may threaten the safety or security of an employee, affect the employee's physical and/or psychological well-being, or cause damage to City property. Acts of workplace violence include the following actions which may be taken against City employees, visitors, clients or others doing business with the City of Norfolk:

- Physical attacks and acts of violence
- Intimidation or threats
- Property damage
- The use or possession of an unauthorized weapon
- Implied actions such as jokes, expressions, emails, and drawings and may include posters or cartoons that depict violence against City employees

Any of these actions will be reported immediately to supervisory personnel or the Department of Human Resources to allow for prompt investigation and/or action to defuse the situation.

III. SCOPE

This policy applies to:

- Individuals who perform City services including volunteers, interns, temporary workers, consultants, and independent contractors.
- All full-time and part-time City employees in any employment category.

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CHAPTER 8: HUMAN RESOURCES

TITLE: WORKPLACE VIOLENCE POLICY (8.12)

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- Employee actions against fellow employees, threats from the public including clients, friends and family that could result in violence in the work environment.
- The conduct of an employee while functioning in the course and scope of employment.
- Off-duty violent conduct that has a potential adverse impact on an employee's ability to maintain citizen confidence and/or perform assigned duties and responsibilities.
- Violent acts or threats made by the public or clients against employees during the performance of their normal work duties.

IV. PROHIBITED ACTIVITIES AND BEHAVIORS

Prohibited conduct includes, but is not limited to:

- Causing physical injury to another person.
- Making threatening remarks; threatening to harm an individual or to damage property.
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging or sabotaging employer or employee property.
- Possession of a weapon while on City property or on City business; threatening to use a weapon, either on or off City property.

It is the City's policy to prohibit employees from possessing, carrying and using any firearms or weapons (either concealed or in plain view) on property owned, operated, or under City control. However, pursuant to section 15.2-915 of the Code of Virginia, 1950, as amended, a City employee may store at the City workplace a lawfully possessed firearm and ammunition if kept in a locked private motor vehicle.

The City has the right to search any area on City premises for firearms and/or weapons (for example, but not limited to, lockers, furniture, lunch boxes, briefcases and purses, etc. on City property in addition to City vehicles), based on a reasonable suspicion that a firearm or weapon will be found.

V. AUTHORIZED EXCEPTIONS

Exceptions are as follows:

- Possession of a handgun by an employee who is a certified law enforcement officer.
- Possession of a handgun required as a part of an employee's City job duties.
- Tools required for an employee's job.

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TITLE: WORKPLACE VIOLENCE POLICY (8.12)

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VI. REPORTING REQUIREMENTS

All employees are responsible for promoting a safe work environment and reporting acts of workplace violence. Employees who feel they have been subject to violent, threatening, or disruptive behavior or witnessed or learned of such behavior must immediately report such incidents to their immediate supervisor, Human Resources, or other authorized person.

In the event of serious injury or threat, employees are expected to respond immediately by calling 911 or contacting the appropriate emergency responder.

VII. RESPONSIBILITIES

A. Human Resources

The Department of Human Resources is responsible for:

- Communicating the policy and conducting the necessary training sessions;
- Prohibiting workplace violence, promptly investigating any complaints of violence, and supporting departments in adhering to this policy;
- Determining if such behavior could have a negative impact on the employee's ability to effectively complete job duties, when violent acts are committed by an employee outside of the workplace.

B. Supervisor and Managers

In addition to the above reporting requirements, those in a supervisory or management role are responsible for:

- Clearly communicating acceptable and unacceptable behaviors;
- Fully addressing any reports of workplace violence;
- Protecting victims of workplace violence;
- Contacting the department of Human Resources when complaints are received.

C. All Employees

In addition to the above reporting requirements, employees are advised to:

- Be alert to the potential for violence by current employees, former employees, customers, and visitors;
- Report violent acts as soon as possible to prevent situations from escalating;
- Report complaints to a supervisor or the Department of Human Resources. Complaints can be verbal or in writing.

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CHAPTER 8: HUMAN RESOURCES

TITLE: WORKPLACE VIOLENCE POLICY (8.12)

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VIII. NON-RETALIATION

This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Any employee bringing a complaint or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment, discriminated against or discharged solely on the basis of the complaint. Every effort will be made to protect the identity of anyone who comes forward with a concern about weapons possession, a threat, or an act of violence. (Refer to Policy 8.11 – Anti-Retaliation)

IX. DISCIPLINE

Any employee violating this policy will be subject to appropriate disciplinary action, up to and including termination. Disciplinary actions may also be taken against any official, supervisor, or manager who condones or ignores potential violations of this policy or otherwise fails to take appropriate action to enforce this policy. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

X. HISTORY

Replaces – Workplace Violence Policy (8.12) dated 4/10/12

XI. REGULATION UPDATES

Modifications to this Policy shall be the responsibility of the Department of Human Resources.

Policy and Administrative Regulations

CHAPTER 8: EMPLOYEE PERFORMANCE
TITLE: CUSTOMER SERVICE POLICY (8.13)
Page 1 of 2



**City of
Norfolk**

EFFECTIVE DATE: July 15, 2013

POLICY ORGANIZATION: Department of Human Resources

APPROVAL

A handwritten signature in black ink, appearing to read "Marc D. Jones", written over a horizontal line.

I. PURPOSE

The City of Norfolk is committed to providing excellent, customer-focused services in a fiscally sustainable, responsive and courteous manner to all citizens, officials, employees, and those who conduct business with the City. This policy constitutes the standards of customer service required of all employees. It is expected that all employees will follow and adhere to these standards on a daily basis as we support programs and services that are a priority to our City Council and community:

- Accessibility, Mobility and Connectivity
- Economic Vitality and Workforce Development
- Environmental Sustainability
- Lifelong Learning
- Safe, Healthy and Inclusive Communities
- Well Managed Government

II. POLICY

City of Norfolk employees are expected to provide service delivery that supports a well managed government that is efficient, effective, responsive, accountable, inclusive, and customer-focused. Therefore all employees have this special responsibility, which is a key component of the public trust that every person assumes when becoming an employee.

Our customers, both internal and external, deserve the most courteous, attentive, and responsive service we can offer. Internal customer contacts include, but are not limited to, co-workers and other City departments and agencies; external contacts include, but are not limited to, the public, and other organizations and agencies that seek services or conduct business with the City. Therefore, accountability, integrity, respect, professionalism and commitment are essential performance expectations for every employee.

The City recognizes that successful customer service reflects a quality organization. There are many forms of customer service which include but are not limited:

- Service delivery
- Phone and written communication
- Dissemination of information (complaints, compliments, and in-person contacts)

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CHAPTER 8: EMPLOYEE PERFORMANCE

TITLE: CUSTOMER SERVICE POLICY (8.13)

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**City of
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III. PROCEDURE

STANDARDS FOR EXCELLENT CUSTOMER SERVICE:

- Customer service is a priority for all City employees.
- All customer service contacts shall be conducted in a courteous, respectful and professional manner.
- Follow-up is essential; when the customer service contact requires additional actions, the response should be provided within a timely manner.
- Processes should be as consistent, uncomplicated, easy to understand and as accessible as possible.
- Phone and written communication shall be clear, concise, respectful, and professional.
- Information, to the extent possible, shall be accurate, current, consistent, and presented in a manner easily understood.
- Every effort will be made to assist the customer; however, there are occasions when referrals are necessary. There must be certainty that the referral is correct, which may require ascertaining the appropriate contact prior to making a referral.

IV. RESPONSIBILITY

A. Employees

Employees are responsible for supporting policy implementation and adhering to the policy.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy.

B. Managers and Supervisors

Managers and supervisors are responsible for supporting policy implementation and monitoring compliance.

C. Human Resources

The Department of Human Resources is responsible for providing policy guidance to assist employees in complying with issues concerning customer service.

V. HISTORY

A. N/A

VI. REGULATION UPDATE

Modifications of this policy shall be the responsibility of the Department of Human Resources.

Policy and Administrative Regulations

CHAPTER 9: ENERGY EFFICIENCY POLICIES

TITLE: City Facilities Energy Usage Policy (9.1)

Page: 1 of 2



EFFECTIVE DATE: April 8, 2014

POLICY ORGANIZATION: Department of General Services

APPROVAL

I. PURPOSE

The City of Norfolk is dedicated to conserving energy and reducing our overall energy consumption. The City supports the establishment of standard regulated temperatures for heating and cooling seasons in City owned facilities, operated or controlled facilities or facilities in which the City of Norfolk pays the utility bill. The rise in energy rates is creating an added financial burden on the City of Norfolk. While the City can have minimal impact on the rates of these energy costs City personnel have the ability to review practices and standards that affect fuel consumption.

II. POLICY

The energy usage policy establishes normal building temperature setpoints for use in all office spaces. The new Statewide Energy Code requires at least five degrees between the heating and cooling setpoints. This policy will set the building temperature at 70 degrees during the heating season and 76 degrees during the cooling season. These temperatures are in line with those being implemented by state and local governments across the country to address the ongoing impact of rising fuel costs on operating budgets.

As a reminder, the use of space heaters by individuals to provide supplemental warmth for their area is still prohibited, as these devices consume energy and cause HVAC disparities – both of which are counter to the goal of reduced energy consumption. Additionally, the devices are both tripping and fire hazards. However, if there is a reason (such as a building mechanical issue) for a space heater for your work area, it must be submitted for approval to the Director of General Services on the attached space heater request form. If a space heater is approved, the space heater must be a model specified by Facility Maintenance and in compliance with the requirements of the Norfolk Fire Marshal's Office, so as to meet the City's fire and safety code standards and is energy efficient.

This energy usage policy recognizes that there are specific events, City of Norfolk contractual obligations and applications where other temperature requirements exist. Variances will be made on a case by case basis. Special exceptions must be requested in writing and submitted to the Director of General Services. However, the goal of the energy usage policy is to maintain comfortable temperatures, efficient energy usage and manage energy costs.

III. DEFINITIONS

a. HVAC (heating, ventilation, and air conditioning)

HVAC is the mechanical system that provides conditioned air (either warm or cool) to interior spaces.

b. Heating and Cooling Seasons:

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CHAPTER 9: ENERGY EFFICIENCY POLICIES

TITLE: City Facilities Energy Usage Policy (9.1)

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Heating and cooling seasons are the general time periods in which air must be conditioned (either warmed or cooled) to maintain a particular temperature to an interior space.

Heating season is typically October through April. Cooling season is typically May through September.

c. Standard Regulated Temperatures:

Standard regulated temperatures are temperatures established by this policy that meet reasonable employee comfort levels as well as reasonable energy usage.

d. Setpoints:

Setpoints are defined as temperature settings on a thermostat. A setpoint of 70 indicates that the thermostat of the HVAC system should regulate the air temperature to 70 degrees.

IV. RESPONSIBILITIES

Department of General Services

The Department of General Services will be the point of contact on energy related matters as it pertains to this policy.

Where applicable, the Central Energy Plant, which falls under General Services, will maintain temperatures to the standard setpoints. Periodic temperature monitoring may be conducted as necessary. Failure to adhere to the energy usage policy could result in appropriate action to include responsible departments being held accountable for paying for energy cost overages. Departments will receive copies of detailed bills and invoices which will then require additional funds from the department.

Building Managers

If the Central Energy Plant does not have climate-control over the City facility, the building manager will be responsible for setting and maintaining the correct temperature. Building managers will be responsible for monitoring office space and ensuring the standard regulated temperatures are adhered to by employees and tenants.

Department Heads

Department heads will be responsible for monitoring office space and ensuring the standard regulated temperatures are adhered to by employees.

Employees

Employees are required to adhere to the standard regulated temperatures. If an employee's office space requires a space heater the attached space heater request form must be submitted for approval by the Director of General Services.

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CHAPTER 9: ENERGY EFFICIENCY POLICIES

TITLE: Idling Policy for City Vehicles & Equipment (9.2)

Page: 1 of 3



**City of
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EFFECTIVE DATE: SEPTEMBER 30, 2009
POLICY ORIGINATION: FLEET MANAGEMENT

APPROVAL: _____

1. PURPOSE

- A. This policy establishes regulation to limit the idling of City Equipment. Since each department is responsible for City Equipment, employees should check with their respective department for any additional requirements.
- B. The purpose of this policy is:
 - 1. To reduce unnecessary fuel consumption by reducing idling; and
 - 2. To promote practices that ensure proper vehicle and equipment operation, minimize operating costs, and reduce emissions and environmental impacts.

2. TERMS

- A. City Equipment: Any vehicle or equipment that is owned, leased, loaned, donated, maintained, fueled, and/ or titled to the City of Norfolk.
- B. City Limits: The legal boundaries of the City of Norfolk.
- C. Idling/ Idle: Refers to the operating of a City Equipment, regardless of fuel type, while it is stationary.
- D. Driver/ Operator: Any person who drives, operates, or is in physical control of City Equipment.
- E. Owners Manual: The manual provided by the vehicle or equipment manufacturer that provides basic operating instructions for a specific make and model of vehicle or equipment.
- F. Service Manual: A repair or service manual offered by the original manufacturer for a specific make and model of vehicle or equipment.

3. POLICY

- A. City Equipment will not be stationary with the engine operating for more than five (5) consecutive minutes, in a 60-minute period, unless it is essential for performance of work or otherwise specified below.
- B. Departments, led by Fleet Management, will continually seek technical innovations and alternative or lower fuel-use auxiliary equipment and/or attachments to existing equipment to avoid idling.

- 4. CRITERIA: Unless the Owner or Service Manual states otherwise the following criteria shall apply:

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CHAPTER 9: ENERGY EFFICIENCY POLICIES

TITLE: Idling Policy for City Vehicles & Equipment (9.2)

Page: 2 of 3



- A. During start-up, the engine may be idled for a period of up to five (5) minutes, and/ or until the air pressure and oil pressure has reached the proper operating PSI.
 - 1. To ensure proper air pressure and oil pressure has been attained before taking off.
- B. During shutdown, City Equipment with a turbo-charger requires a three (3) minutes idle time to cool.
 - 1. City Equipment with a turbo-charger must have a warning plaque displayed in the driver's area of the vehicle.
 - i. In the event that the warning plaque is lost or damaged, the department must notify Fleet Management and obtain a replacement plaque.
 - 2. City Equipment without a turbo charger can be shut down immediately.
- C. Fueling shall be conducted with vehicle engine and external equipment shut off. This includes times when portable fuel cans or on-board equipment such as a generator, are being fueled. Responsibility for shutting down the vehicle and external equipment lies with the Driver/ Operator.

5. APPLICABILITY

- A. This policy applies to all City Equipment.

6. EXCEPTIONS

Due to the diverse nature of the City vehicle & equipment fleet, in terms of vehicle type, function and operating characteristics, a series of operational exemptions to the policy are listed below: In all cases the operational activity should be the driving force requiring the City Equipment to idle. Exemptions include:

- a. Emergency vehicles and equipment while engaged in operational activities, responding to emergencies, or performing an activity directly related to a public safety function, in which not idling would be detrimental to the safety and health of citizens and employees.
- b. City Equipment while engaged in operational activities that require the vehicle to idle in order to operate auxiliary equipment, including but not limited to:
 - i. Cranes, compressors, pumps, hydraulic equipment, welding equipment, lights, and signs.
- c. Vehicles engaged in operational activities, including but not limited to:
 - i. Backhoes at a job site waiting to dig or lift while other work is going on in the excavation.
 - ii. Vactors and water jet trucks while engaged in operational activities, running the jet hose, suction line, and cleaning pipes.
 - iii. Dump trucks being loaded with materials.

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CHAPTER 9: ENERGY EFFICIENCY POLICIES

TITLE: Idling Policy for City Vehicles & Equipment (9.2)

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- d. Vehicles that must be kept at an appropriate temperature for the health and safety of occupants, persons or animals being transported.
- e. Vehicles equipped with temperature sensitive equipment and cargo.
 - i. Vactors and water jet trucks during freezing conditions.
- f. City Equipment that is being serviced, when diagnosis or repairs being performed necessitate that the engine idle for a longer period.
- g. Idling in traffic.

VIII. RESPONSIBILITY

A. Department Directors (or designee):

- 1. Department directors or agency heads are responsible for ensuring the policy is strictly adhered to in all respects.
- 2. Department directors shall regularly review idling and other available data related to vehicle & equipment use, when available.

B. Employees:

- 1. Employees are responsible to observe all state and local laws that pertain to vehicles and their operation in the state and jurisdiction they are driven.
- 2. Employees are responsible to observe all Policies, Regulations, and Administrative Directives.
- 3. Employees may be subject to disciplinary action, including suspension or termination by not complying with any provision(s) of this regulation.

IX. HISTORY

- A. No past formal Idling Policy has been identified.
- B. On October 20, 2008 the Director of Public approved SOP #60, Vehicle and Equipment Idling Policy, specific to Public Works, which serves as the basis for this Policy.

X. COMPLIANCE/REPORT REQUIREMENT: None

xi. AUTHORITY: City Manager's Office

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EFFECTIVE DATE: 12/1/14

POLICY ORGANIZATION: Department of Finance

APPROVAL

I. PURPOSE

The City of Norfolk's internal control policy is designed to support the City Council priority of a Well Managed Government and to comply with the Uniform Administration Requirements for Federal Grant Awards. A Well Managed Government is defined as a data-driven organization that provides effective and efficient programs and services that are responsive, accountable, inclusive, and customer focused.

II. POLICY

It is the policy of the City to establish and maintain internal control systems to reasonably assure the achievement of organizational objectives in operational efficiency and effectiveness, reliable financial reporting, safeguarding assets, and compliance with laws, regulations, and program compliance requirements.

The City internal control system will use the Committee of Sponsoring Organizations of the Treadway Commission (COSO) 2013 Framework of Internal Controls to reasonably assure that:

- Transactions are properly recorded on the general ledger
- Activities are executed in compliance with all federal, state, and local policies and procedures including grant administration, reporting, and professional standards
- Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition
- Resources are expended with minimum waste, cost, and unnecessary efforts
- Processes are evaluated to ensure desired or intended results are met

III. PROCEDURES

The COSO 2013 Framework provides five components of internal control supported by seventeen principles. The City's procedures applicable to the five components are described below.

A. **Control Environment** is the tone of the City's control consciousness of its employees at all management levels. It is the foundation for all other components of internal control, providing discipline and structure.

1. City Council, City leadership and Norfolk city residents collaboratively established six City priorities including the Well Managed Government priority supported by this policy.

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2. The City Manager establishes and approves policies and procedures for managers and employees to follow.
3. All employees are required to comply with the Employee Code of Ethics Policy – General Administrative Policy (5.7) and the Employee Business Conduct Policy – General Administrative Policy (8.8). All employees are also required to sign and conform to the City’s Information Technology “Electronic Data Resources Acceptable Use Policy” before being granted access to City network resources.
4. The City Auditor is appointed by City Council and is independent of City management. The City Auditor coordinates the efforts of the annual independent external auditor, and provides general support to assure the government is accountable, transparent and cost-effective by providing professional audit and related service including inquiries, investigations and management advisory services. The City Auditor operates the fraud hotline to encourage early reporting of fraud, waste and abuse.
5. The Finance Department is responsible for the stewardship of the city’s fiscal and material resources by developing, recommending and implementing the City’s system of internal controls in accordance with U.S. Generally Accepted Accounting Principles (GAAP). These include training, internal and external monitoring efforts, control activities over the electronic financial and payroll systems, and development of policies and procedures. The Finance Department provides post award technical support for Program Administrators regarding the grant execution, funding, internal control, draw-down, reporting, and close-out phases of the grant cycle.
6. The Office of Budget and Strategic Planning is responsible for the preparation and submission of a balanced budget that supports the goals of the City. The Office monitors the current fiscal year’s budget on a monthly basis. Operations are focused on budget development, policy analysis and citywide grant management. The Grants Team in the Office of Budget and Strategic Planning provides pre-award technical support for Program Administrators regarding the grant application, approval, matching, and acceptance phases of the grant cycle.
7. The Department of Human Resources is responsible for a comprehensive human resources management program by developing and implementing recruitment and selection strategies, creating and facilitating training programs, creating and consulting on policy development, and interpreting and advising on services related to investigations, disciplinary

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actions and complaints.

8. Department financial supervisors and program administrators are responsible and accountable for the risk assessment, accounting, financial reporting, communication, monitoring, and effective execution of the City's system of internal controls over all transactions and grants under their charge.
 9. All personnel including City leadership and employees produce information used in the internal control process or take other actions needed to effect control while performing assigned duties. Therefore, all City employees participate directly in this system of internal controls and should consider such participation a critical component of their performance expectations.
- B. **Risk Assessment** is the entity's identification and analysis of risks relevant to achievement of its objectives, forming a basis for determining how the risks should be managed.
1. City Administration assesses risks on an entity-wide basis and establishes annual internal control objectives. The City Auditor, in conjunction with City Administration and approved by City Council, develops an internal audit plan to mitigate those risks. Annually, department heads are required to submit a Self-Assessment of Internal Controls for their Department. (Attachment A)
 2. The City's organizational structure is designed to minimize risk through the following:
 - a. Key managers are given responsibility to identify and communicate changes
 - b. Employees who require close supervision (e.g. inexperienced) are identified and coached
 - c. Complex operations, programs, or projects are identified
 - d. Management is aware of results of monitoring, audits, and reviews and considers related risk of noncompliance
 - e. Changes in program objectives and procedures are implemented through a consistent, defined process.
 3. The City evaluates each program and federal award sub-recipient in accordance with the risk assessment parameters outlined in Part 6 of the 2014 Federal Compliance Supplement which is included in the City's Grant Manual.

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C. **Control Activities** are the policies and procedures that help ensure that management's internal control objectives are carried out.

1. Operating policies and procedures are written, distributed and communicated on a regular basis. Policies require separation of duties for all processes that possess any internal control risks.
2. An approved budget is required for all City expenditures.
3. Supervisors receive training in the overall structure of the internal control system as well as their specific roles, including compliance with grants.
4. A written checklist is maintained in the Finance Department as to what specific documents represent adequate source documentation for expenditures, revenue, and adjusting ledger entries. These standards are used as the basis for monitoring activities.
5. The City of Norfolk Grants Manual is maintained by the Finance Department and Budget Office and details procedures for the full grant administration cycle including identification of needs, award and execution, drawing funds, compliance with grantor requirements, monitoring, reporting, and close-out.
6. The Advantage Financial Management System (AFMS) and PeopleSoft payroll systems utilize the following processes to maintain data integrity and internal control of electronic financial information:
 - a. Data entry controls, e.g., edit checks
 - b. Exception reporting
 - c. Access controls including third party grant reporting and payment systems
 - d. Reviews of input and output data
 - e. Computer general controls and security controls
 - f. Supervision of employees is commensurate with their level of competence
 - g. Staff have adequate training, knowledge and training in use of the computer system to adequately discharge their responsibilities.
 - h. Financial transactions entered in AFMS require at least two on-line approvals applied by separate staff. No staff member responsible for routine transaction processing possesses all approval levels. Some transactions involving fixed assets, procurement, budget, and interfund journal entries require additional on-line expert approval. Selected staff may have the ability to over-ride controls but do not, by practice, process payment transactions.

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7. Equipment, inventories, cash, and other assets are secured physically and periodically counted and compared to recorded amounts.
 8. Payment requests for federal grants are generated by program managers, reconciled to the general ledger, and then reviewed by Finance staff before being submitted to the granting agency. When applicable, program managers are provided the training and resources necessary to prepare and submit complete, accurate and timely program activity reports to granting agencies. See the City of Norfolk Grants Manual for further detail.
 9. The City Manager conducts periodic meetings and submits financial reports in which financial results of program activities and accomplishments are shared with City Council. Written documentation of the meetings is maintained in the form of agendas and Council meeting minutes.
- D. **Information and Communication** are the identification, capture, and exchange of information in a form and time frame that enable people to carry out their responsibilities.
1. Detailed procedures for financial system data entry and approval are maintained on-line and available to all staff at all times. Formal classroom training is provided periodically regarding AFMS and PeopleSoft data entry, managerial inquiry processes, and detailed instructions as to what constitutes adequate support documentation for all transaction types.
 2. Supervisors communicate any findings generated through their monitoring efforts to Finance staff and prompt corrective action is taken.
 3. The current Federal Compliance Supplement is reviewed by prospective program managers as part of the grant application process to assure all parties agree that the City has the technical resources and personnel proficiency necessary to successfully execute the grant program in a fully compliant manner. This review is completed before acceptance of the grant award.
 4. The AFMS system's chart of accounts provides for separate identification of Federal and non-Federal transactions and proper allocation of shared and overhead costs allocable to both.
 5. All invoices are reviewed and approved for payment by personnel who can personally confirm that goods have been received or services have been provided before the invoices are submitted for payment through AFMS.

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6. Monthly AFMS financial reports are generated, reviewed by management, and then made available to managers in a timely manner for review and appropriate action.
7. Accurate financial information is available via monthly reporting. Ad-hoc query reporting systems in AFMS and PeopleSoft are accessible to those who need it and appropriate details are maintained per established guidelines.
8. Reconciliations and reviews are conducted in a timely manner to ensure accuracy of reports.
9. The City follows all state and federal regulations concerning document retention.
10. The City uses the following internal and external communication channels.
 - a. Staff meetings
 - b. Bulletin boards, including web-based bid notification and recruitment sites
 - c. Memos, e-mail, and shared network document
 - d. Surveys, suggestion box
 - e. City television stations
11. Employees' duties and control responsibilities are effectively communicated through written policy and training.
12. Annual reminders are sent to all employees requiring that they submit a form if they take a second job. Department Heads have been educated to review the forms and prevent potential conflicts of interest.
13. New employee background checks include all levels of law enforcement, DMV, and Child Welfare authorities. Background checks include the use of finger print technology.
14. A confidential Fraud, Waste, and Abuse Hotline is maintained by the City Auditor for employees, vendors, or the public to report suspected improprieties. Prompt actions taken as a result of all communications received. The hotline is available to citizens and vendors.
15. Program and Finance staff maintain regular communication between the City and all sub-recipients of federal grants.

E. **Monitoring** is the process that assesses the quality of internal control

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performance over time.

1. Individual employee on-line access and permissions to AFMS and PeopleSoft systems are reviewed periodically by the Director of Finance to confirm employees have appropriate system access relevant to their current job duties.
2. Security access authorization forms are required to be updated periodically.
3. Supporting documentation for petty cash, procurement card, and travel payments are sampled at least monthly to confirm compliance to accounting procedures.
4. Supporting documentation for random, large, initial, or unusual vendor payments are reviewed for each check run to confirm compliance to accounting procedures.
5. Procurement training is offered to vendors and sub-recipients on a quarterly basis based on risk assessment. Standardized training includes procedures to assure compliance to federal grant requirements.
6. Monthly financial and budget reports are generated and reviewed by program managers, supervisors, fund managers, and department heads.
7. The vendor code file is reviewed continuously by Finance staff to confirm proper data entry, debarment status, Tax Identification Number information, back-up withholding status, connection to federal award spending, TIN IRS matching, and contract performance.
8. Payroll transactions, including original time sheets, are sampled periodically by the Finance Department for all City and grant sub-recipient employees. Department heads are held accountable for proper payroll processing. Program managers are responsible for monitoring sub-recipient payroll practices for federal compliance.
9. Ongoing monitoring of fiscal systems is built into business processes through independent reconciliations, staff meeting feedback, rotating staff, supervisory review, and management review of reports.
10. Sub-recipients of federal grant awards receive additional monitoring activity as outlined in the City's Grants Manual and referenced federal requirements.

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11. Periodic site visits are performed at Department, sub-recipient, and vendor locations to conduct standardized monitoring to determine whether procedures are being followed as intended.
12. Finance provides prompt follow-up on irregularities and deficiencies to determine the cause.
13. Internal quality control reviews, process audits, and cash audits are performed by the City Auditor office independent of management.
14. Finance and budget staff meet at least quarterly with program managers, auditors, and grant reviewers to evaluate the current status of the overall system of internal controls.
15. The Internal Audit department tests for compliance with federal requirements as part of process reviews when the program or process under review involves the expenditure of federal grant funds.
16. The Director of Finance reviews the results of all monitoring and audit reports with City Administration and periodically assesses the adequacy of corrective action. The City Manager reviews with City Council through briefings coordinated by the City Auditor.

IV. RESPONSIBILITIES

City employees are accountable to ensure that resources are used effectively and efficiently and are adequately safeguarded against fraud, waste and abuse. Each department head is responsible for conducting a Self-Assessment of Internal Controls annually. (Attachment 1)

V. HISTORY

City policy effective 12/1/2014.

VI. COMPLIANCE/REPORTING

OMB issued the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards in the December 26, 2013 Federal Register Notice. Standards are effective December 26, 2014. Non-Federal entities must establish and maintain effective internal controls that provide reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations and the terms and conditions of the federal award. Internal controls should be in compliance with COSO (Internal control Integrated Framework issued by the

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Committee of Sponsoring Organizations of the Treadway Commission.)

This policy was established by the Department of Finance using guidance provided through the 2013 COSO Framework of Internal Controls and the 2014 Uniform Guidance for Federal Grant Awards. Specific procedures for internal control of federal grant awards are detailed in Part 6, Internal Control, of the Federal Compliance Supplement and have been adopted to apply to all grant awards. This policy incorporates these documents by reference and is a required element in support of the annual independent external audit of the City of Norfolk.

VII. REGULATION UPDATES

This policy has been established by the City Manager. Modifications to this Policy shall be made by the Department of Finance as approved by the City Manager.

VIII. REFERENCES AND ATTACHMENTS

- A. COSO (2013) Framework for Internal Controls Overview
- B. Employee Administrative Policy, Code of Ethics (5.7)
- C. Employee Administrative Policy, Business Conduct (8.8)
- D. Information Technology Electronic Data Resources Acceptable Use Policy
- E. City Grants Manual
- F. AFMS System Access Request
- G. A-133 Compliance Supplement Part 6 Internal Controls (to be revised as an appendix to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)

Attachment A - Self-Assessment of Internal Controls